

The  
**American Historical Review**

THE NEW HAVEN MEETING OF THE AMERICAN  
HISTORICAL ASSOCIATION

ALL who habitually attend the sessions of the American Historical Association seemed to agree that its fourteenth annual meeting, held at New Haven on December 28, 29 and 30, 1898, was the most interesting and successful in its history. After each of its recent meetings similar expressions have been current; and it is evident that the Association is rapidly moving forward, with constant increase of activity and usefulness. Its members, who three years ago numbered 629, now number about twelve hundred. The treasurer's report, submitted at New Haven, showed that the funds of the society amounted to more than \$11,000, and that they had increased about \$1,500 during the preceding twelvemonth. Still better evidences of progress are presented by the new activities and responsibilities which the organization, while maintaining its traditional functions, is annually assuming. The foremost place among these new duties we may, without apology, assign to those which the society has undertaken with reference to the AMERICAN HISTORICAL REVIEW.

From its inception, in the summer of 1895, the REVIEW was sustained by the aid of a three years' guarantee on the part of a body of generous friends of historical learning. At the Cleveland meeting of the American Historical Association proposals were made looking toward the substitution of that body for the Association of Guarantors, or toward securing, upon some other basis, the benefits of union. While favoring the general project, the Association did not feel at liberty to commit its members to any definite plan without further opportunity to consult them. Accordingly a vote was adopted whereby each member of the Association was to be supplied with the first two numbers of the REVIEW issued after the ex-

piration of the guarantee fund (those for October 1898 and January 1899) while a definite decision of the question was postponed to the New Haven meeting. Upon that occasion it was concluded, in view of the excellent showing made by the treasurer, that the Association could safely, without increasing its annual dues, enter into the desired relations with the REVIEW. It was, therefore, agreed that the Association would subscribe for the REVIEW for all its members, assuming, however, no further pecuniary responsibility; and that hereafter the members of the Board of Editors, as their terms expired, should be elected by the Council of the Association. This agreement may, upon one year's notice, be terminated by either party. By this generous action on the part of the Association the REVIEW is assured of permanence, while its editors retain all desirable freedom of action.

Among the other transactions which must be noted as steps of progress was the formation of a committee for the historical study of colonial dependencies, and especially of the methods employed by other countries in their management, and in the training of men for their administration. The chairman of this committee is Professor Henry E. Bourne of Cleveland; its other members, appointed for reasons of obvious fitness, are Professor Bernard Moses of the University of California, Professor H. Morse Stephens of Cornell University, Professor George M. Wrong of the University of Toronto and Mr. Frederick Wells Williams, instructor in Oriental history in Yale University. This committee, whose investigations may properly be expected to be of much interest and utility to the general American public, will probably bring out a somewhat elaborate historical and bibliographical report late in the present year, before the next meeting of the Association, and perhaps before the next meeting of Congress.

The Association took another important step in the appointing of a bibliographical committee,—Mr. William E. Foster of the Providence Public Library, chairman, Mr. J. N. Larned of Buffalo, Mr. Reuben G. Thwaites, secretary of the State Historical Society of Wisconsin, Mr. George Iles of New York and Mr. A. Howard Clark, assistant secretary of the Association,—whose function is to supervise the bibliographical work of the Association, often an extensive part of its publishing activity, and to devise and execute plans of larger usefulness in this direction. Not less important to the future progress of the Association is the creation of a numerous "General Committee," the members of which, under the chairmanship of Professor Herbert B. Adams, Secretary of the Association, are to take care of its local interests in their respective states or

cities, to act as a committee on membership, to answer historical inquiries, or to put members into communication with those who can answer them, and to serve the Secretary and the Association in various ways. The Association also, reviving its bestowal of an annual prize for a historical monograph, gave it the appropriate name of the Justin Winsor Prize in memory of the third president of the society. Professor Frederick J. Turner, of Wisconsin, was made chairman of the committee on this prize.

These are the new activities of the society. Of the tasks which it had already undertaken, there was none which, apparently, was regarded with so general interest as that of the Committee of Seven on the teaching of history in secondary schools. Unquestionably a considerable part of this manifestation of interest on the part of the audiences was due to the fact that the New England History Teachers' Association was gathered together in New Haven at the same time. At the Cleveland meeting the Committee of Seven had made a preliminary report which, without yet formulating conclusions in perfect detail, had impressed all hearers with the thoroughness of the committee in its search for information as to the actual facts of historical teaching in schools, with its determination to make practical recommendations, based on experience and on the actual situation, and with the certainty that the results of its labors, when finally brought forward, would prove to be of high professional value. This impression was confirmed by what the committee presented at New Haven. From their report, nearly completed after many and arduous sessions, the chairman, Professor Andrew C. McLaughlin of Michigan, read considerable extracts at one of the sessions. So general was the desire to hear more, that a special time and place were appointed in order to give opportunity for this.

The report first gave an account of the work of the committee, and a brief statement of the conditions found to exist in the schools of the country. It discussed the educational value of history and its place in the curriculum. Declining to recommend the use of a short course in general history, the committee recommended that the historical teaching in secondary schools relate to one or more of four tracts or periods of history: Ancient History, including Oriental beginnings and continuing the study into the medieval period so far as to the end of the reign of Charlemagne; Later Medieval and Modern European History; English History; and American History. The report discussed the various methods which might best be employed in teaching each of these portions of history, laying stress upon the value of history in cultivating the judgment and reasoning powers.

Views upon the training of teachers were also expressed in the report; and it concluded with a section, toward which in a sense all the rest had led, upon college entrance requirements in history. The recommendation of the committee was that history should be treated on terms of equality with the other subjects now required; and they developed their views as to how this proposition could or should be worked out under the varying systems of requirements for entrance which prevail in American colleges. The public discussion of the report was hampered by the fact that, after all, it was presented only in fragments. President Levermore of Adelphi College urged that, so far as presented, it seemed to ignore the standing dilemma in which secondary schools are placed by the enthusiastic advocates of this or that study,—that if the schools should try to meet the sum of all their demands, the scholar's whole time would be engrossed many times over. But as to the details of what will be found, or what may not be found, in the committee's report, it is possible for us to refer to the text of the report itself; for it was concluded not to wait upon the slow operations of the Government Printing Office, but to bring out the report, as a duodecimo volume of 150 or 175 pages, through a publisher (the Macmillan Co.) this spring. The volume, which surely will be ardently expected, will contain, beside the chapters already mentioned, a series of appendixes or special contributions. One will present typical replies to the committee's circulars; another, typical school-programmes. Another, by Miss Lucy Salmon, professor in Vassar College, a member of the committee, will delineate from abundant personal observation the methods and the results of historical teaching in the German gymnasias. Others will deal in a similar manner, though less elaborately, with the systems in vogue in France, England and Canada; others still with the possibilities and the appropriate methods of historical instruction in schools of lower and of elementary grade. An extensive bibliography of the study and teaching of history will also be appended. The section relating to historical requirements for entrance to college will also be used as a report on that subject to the National Educational Association's committee on uniform entrance requirements, the committee of which Mr. A. F. Nightingale of Chicago is chairman.

Another report formally presented to the Association was that of the Historical Manuscripts Commission, read by its chairman, Professor J. Franklin Jameson. The Commission had expected to present on this occasion the manuscript of their edition of the Correspondence of John C. Calhoun. But almost at the last moment a considerable mass of additional material was placed at their disposal



and still more appeared to be within reach. To secure the utmost possible completeness seemed more important than haste. The Commission, therefore, felt obliged to defer till next Christmas the presentation in final shape of this part of their work, and to content themselves at present with a brief report, accompanied with three appendixes. In the first were contained a part of the data respecting historical manuscripts in private hands which have come to their knowledge through replies received to their circulars of inquiry. The second will comprise a list of all letters of Calhoun hitherto printed. The third will be a classified and indexed list of all the items relating to American history (more precisely, Canadian history and that of the United States and its dependencies) which are to be found scattered through the many volumes of the reports of the Royal Commission on Historical Manuscripts and their appendixes.

Much additional interest accrued to the meetings from the presence in New Haven, at the same time, of the American Economic Association. The members of both bodies were alike invited to the reception held by Professor and Mrs. Henry W. Farnam on Tuesday evening. On Wednesday afternoon the session of the economists was devoted to the economic history of the United States. Four papers were read: by Professor Taussig of Harvard on *Some Aspects of the United States Treasury Situation in the Years 1893 to 1897*; by Dr. G. S. Callender of Harvard on *Early Canal, Railway and Banking Enterprises of the States, in Relation to the Growth of Corporations in the United States*; by Professor J. C. Schwab of Yale on *Prices and Price Movements in the Confederate States during the Civil War*; and by Professor C. S. Walker of the Massachusetts Agricultural College on *Recent Economic Changes in the State of Massachusetts*. The morning session of the Historical Association was held in union with the New England History Teachers' Association. Professor H. Morse Stephens of Cornell University opened the session with a plea for the study of Scottish and Irish history, instead of the exclusive study, so usual with regard to the early periods, of the history of South Britain. Professor Clyde A. Duniway of Leland Stanford Junior University followed with a brief address on the appropriate methods for the teaching of history to large classes of undergraduates. In informal remarks on this subject, Dr. A. C. Coolidge of Harvard discussed the respective merits of the plan which requires the use of a text-book with supplementary lectures by the teacher, and of that in which the teacher's lectures furnish merely the necessary outline of facts, to be supplemented by reading on the part of the student. He preferred the latter, as accomplishing more toward carrying the student over

the transition from the text-book work of the schools to the more advanced methods of the upper classes in college.

At the first formal session, that of Wednesday evening, December 28, after an address of welcome by President Dwight of Yale University the president of the Association, Professor George P. Fisher, read his inaugural address, a paper marked, as was to have been expected, on the one hand by clearness of thought, keenness and incisiveness, but on the other hand also by moderation and fairness and good temper, and by admirable literary qualities. It has since been printed in the form of a pamphlet. His theme was, *The Function of the Historian as a Judge of Historic Persons*. Admitting fully the value of the study of society in general, he dwelt upon the interest and importance of the historian's relations to individual personalities, the responsible nature of his duties as a judge, and the frequency with which his office has been abused in past times. Much more can now be learned about historical personages than was formerly possible, and the sense of obligation to be laborious in the search after truth has correspondingly increased. Yet in spite of these advances, we have still to be on our guard constantly against the spirit of hero-worship, against the baser passion for denigration, against the misleading influence of rhetorical fervor, against intolerance of types of character not naturally congenial to the writer, against the love of paradox, against narrow or otherwise faulty ideals of personal worth. Dr. Fisher commented upon the waning influence of party prejudice among writers as one of the most evident signs of improvement in modern historical work. He discussed at some length the question, what shall be the criterion of moral judgment respecting characters in the past. As between those who hold with Lord Acton, that the standard of rectitude to be applied in discussing the characters of the past must be nothing less exigent than the ideal standards of today, and those who would judge men from the point of view of their contemporaries, he contended that, while the most advanced ideal standards must ever be kept in mind, yet in discussing the question of subjective guilt or the degree of personal ill-desert one may rightly take account of the progressive advancement of mankind in moral discernment. He urged the duty of laying chief stress on the principal and vital traits of each human character. In conclusion he dwelt upon the dignity of the historian's calling, as connected with the particular function which had been the theme of his address. The interest of the address was greatly heightened by the many illustrations employed by the reader, illustrations which grace of style and lambent humor never perverted away from justice and from sane conclusions.

After the inaugural address, Professor John M. Vincent of the Johns Hopkins University read an entertaining paper on *Municipal Life in the Twelfth Century*, his illustrations being chosen from the city of Strassburg. After the conclusion of the evening's exercises the members of the Association were hospitably entertained by a reception on the part of the New Haven Colony Historical Society, in whose ample and dignified building most of the meetings of the Association were held.

The session of Thursday morning was devoted to a conference on fields of history hitherto unduly neglected. Mr. A. Lawrence Lowell of Harvard University read a thoughtful and suggestive paper on the *Historical Study of the Institutions of the Later Middle Ages*. Speaking from the point of view of one whose studies lay in later periods or in the present time, he pointed out first that it is of fundamental importance to be able, discriminating among the various phenomena or tendencies that present themselves in modern times, to seize upon those that are permanent. If the institutions of modern nations are to be criticized chiefly with respect to their adaptation to the characteristics of the nation as formed by the historic past, (for instance, the July Monarchy, so admirable in English eyes, yet rejected as unsuitable by the French), we must pursue more completely the comparative historical study of these permanent tendencies. There are excellent books of English institutional history, and also of French. But as for the comparative study of the history of institutions, it has been pursued mostly with respect to the early periods. For the understanding of modern developments, there is a distinct need of a greater number of comparative studies of the institutions of the later Middle Ages. The services of Gneist, Boutmy and Jenks in this field were meantime acknowledged. It was admitted that the field presented grave difficulties; yet it was urged that the published material was now sufficient to warrant one in entering upon it.

Dr. G. T. Lapsley, by request, remarked upon the institutional development of the border counties of England and Scotland, from the time when, for all that appeared, they might equally well have gravitated toward either kingdom, down through the development of national feeling and the progressive concentration of powers to the time of the formation of the Council of the North. He cautioned against studying the history of these counties as either English or Scottish before they were in fact thus differentiated.

Professor Charles H. Haskins of the University of Wisconsin spoke in cordial support of Mr. Lowell's positions. He dwelt especially upon the importance of the comparative study of English

and French institutions. The early Middle Ages had received relatively too much attention. The later Middle Ages were not only nearer to our own time and thus capable of shedding more light upon it; they were also important as being the time when national organizations were being formed. Provincial organizations of that age, too, such as the government of the Dukes of Burgundy, the governments of minor states, the governmental systems of the Papacy, all deserved careful study. Yet it was true that the sources for this period had been much less extensively explored and printed, and much monographic work would have to be done before large generalizations could safely be attempted.

The next paper, by Professor Charles M. Andrews of Bryn Mawr College, dealt with the neglected period of American colonial history which begins with the revolution of 1688 and extends to the Albany Congress of 1754. Historians, most of whom have regarded colonial history from the standpoint of the colonies rather than that of the mother country, have amplified upon the earlier period but slighted this. It falls naturally into two divisions, a time of war and stress, 1688-1713, and a time of peace and of economic and political growth, 1713-1754. Both need much more careful study, if we are to understand the condition of the colonies at the close of the period and their relations to the British imperial administration. Mr. Andrews proceeded to describe and discuss the materials, especially the manuscript materials, essential to such study,—the records of the Board of Trade, the Treasury and Admiralty papers, in the Public Record Office at London; the manuscript collections of the British Museum and the Bodleian Library, and those calendared in the successive reports of the Royal Commission on Historical Manuscripts; the materials in the archives of the states and of outlying provinces like Nova Scotia, and in the cabinets of the historical societies; and the records of ecclesiastical organizations, such as the Society for the Propagation of the Gospel.

Professor H. L. Osgood of Columbia University expressed himself as very heartily in accord with the views of Professor Andrews. There was much need of a more thorough comparative study of colonial institutions. The old-time state historian, pursuing merely the history of his one colony, and usually the history of events rather than of institutions, had inevitably left the tale half told, more than half unexplained, and had cast little light on the historic forces operating on the colonies as a whole, the general tendencies of the time. Urging the comparative study of single institutions of the colonial period, each being traced in all the colonies, Mr. Osgood laid especial stress upon the need of a fuller study of

the royal province, the predominant form of colonial constitution. He spoke of the materials needing to be examined in such studies, and of the insufficient extent to which they had been made accessible in print. He agreed with Professor Andrews that the system of imperial control was very imperfectly known as yet, though it presented many opportunities for the elaboration of helpful monographs.

Speaking upon the general subject of neglected fields, and in the interest of young men to whom topics for monographic treatment are suggested by their elders, Professor J. F. Jameson of Brown University adverted to the danger of assuming that because a subject is greatly in need of satisfactory elucidation, it is therefore a desirable theme to assign to the junior student. Often such a student performs but one extensive piece of original work, his doctoral dissertation. Its topic should by all means be so chosen as to introduce him, in as varied ways as possible, into the knowledge of historical methods. Many topics, which sorely need treatment, are ineligible for this purpose, because the materials for their elaboration lie in sources of but a single sort. If possible, let subjects be chosen which lead into sources of many various kinds. Such are many biographical subjects; and the speaker especially commended, for the American student, biographies of persons whose careers will lead him into the history of several countries of Europe as well as of America. Such, also, are many topics in the history of religion in America.

An especially agreeable feature of this session was the presence of the Rev. Dr. William Cunningham, of Trinity College, Cambridge, who spoke briefly but interestingly of the condition of historical studies in England. He lamented that they had not a greater hold upon English attention, especially since there was so much still surviving to bring before the Englishman, and perhaps still more the Scotchman, the sense of his relation to the past. He gave several interesting instances, from the city of Edinburgh and the borough of Canongate, of survivals of those institutions of the later Middle Ages which had been discussed earlier in the session. He urged, in consonance with Professor Morse Stephens's remarks, the utility of such study of Scottish history as would enable one to compare, in their curious and instructive resemblances and differences, the institutions which the same race developed on the one and on the other side of the Border.

In the afternoon of the same day the Church History Section held a session unusually well attended. Three papers were read.

The first was an essay on *The Beginnings of Protestant Worship*, by Professor J. W. Richard, D.D., of Gettysburg, Pa. Dr.

Richard gave a detailed statement of the liturgical changes made in Wittenberg as the result of the reaction against the prevailing doctrinal conceptions. The account emphasized the leadership of Carlstadt, who is often obscured by the concentration of attention on Luther. Carlstadt's initiative determined the form and extent of the innovation by which the Roman mass became a German communion service. Local variations, wherever this example was followed, and Luther's refusal to insist on uniformity of ceremony, made liturgical differences as marked a trait of Lutheran churches as their fixity and uniformity of doctrine.

The paper on Erasmus by the Rev. Dr. George Norcross, of Carlisle, Pa., was not without elements of popular interest, but was primarily intended for another audience.

Professor Samuel Macauley Jackson's account of Zwingli and the Baptist party in Zurich gave prominence to the extremely cautious methods of this most radical of the reformers, and the cruelty and arrogance of his treatment of the Baptists who pressed their conclusions farther and at once brought their individual practice into agreement with their doctrine. The body of the paper dealt with Zwingli's literary polemic against the Baptists. A disputed point was fixed by a letter of Zwingli showing that torture had been applied, more than once, indeed, to Hübmaier. In remarks following the paper, Professor Jackson held that the Baptist party need not be traced to any prior historical movement in the circles of Waldensians or Franciscan tertiaries. The forming impulses came from Zwingli himself. When Scripture was asserted as sole authority and church practice subjected to criticism, every belief and usage was naturally made the subject of fresh revisions.

After the adjournment of this session the members were received by the president, Professor Fisher, at his house.

The session of Thursday evening was devoted to topics in the diplomatic history of America. Professor William M. Sloane of Columbia University read a paper on Napoleon's plans for French colonies in Spanish America. Professor George L. Burr of Cornell University, who conducted for the Venezuela-Guiana Boundary Commission nearly all of its elaborate historical researches, described the methods and the results of his search. Dr. J. M. Callahan of the Johns Hopkins University read a paper on the Diplomatic Relations of the Confederate States and England. The first two of these papers we are so fortunate as to be able to present in the present number of the REVIEW. The last paper of the evening was one by Professor Edwin A. Grosvenor of Amherst College on American Diplomacy, for which he aimed to vindicate an exceptionally high



place. He dwelt upon the abilities and successes of our diplomats abroad, from Franklin down, and of our Secretaries of State; and maintained that during the nineteenth century no country has contributed more than the United States to the development of international law. In discussion of his paper Professor S. M. Macvane asserted a marked decline in the quality of our representatives abroad, and a marked diminution of their successes, in the period after 1820.

But one more session was devoted entire to the reading of papers, that of Friday morning, December 30. Colonial history and policy was on this occasion the general topic. Under the title of "A Forgotten Danger to the New England Colonies," Dr. Frank Strong of Yale University related from original sources the story of Cromwell's project for transferring the inhabitants of New England to the West Indies. Professor Henry E. Bourne of the Western Reserve University developed "Some Lessons from the Recent History of European Dependencies." He examined the recent experience of the French, Dutch and English, first with respect to colonial tariffs and commercial regulations, and then with respect to the forms of colonial government and the organization of the colonial civil service. Great interest was aroused by the paper read by Judge Simeon E. Baldwin of the Yale Law School on the Constitutional Questions incident to the Acquisition and Government by the United States of Island Territory. But the paper was one which fell chiefly within the field of constitutional law and political science, and hardly at all within that of history, and the discussions which followed were discussions of constitutional interpretation and of public policy rather than of historical fact. Briefly, Judge Baldwin concluded for the power to acquire such territory, but urged the constitutional difficulties attending its administration, particularly in respect to the provisions of the Constitution relating to uniform tariffs and to trial by jury. Dr. James Schouler opposed the policy of annexation, Professor Hart advocated it.

In the afternoon, at the concluding session, Dr. Herbert Friedenwald, Superintendent of the Manuscripts Department in the Library of Congress, described the collections of historical manuscript possessed by that institution. Now that in the new building they can be brought together, a satisfactory arrangement effected and a catalogue begun, it is seen that there are about twenty-five thousand letters or other papers. Dr. Friedenwald described the steps taken or to be taken toward making them more accessible. They are chiefly of value to the colonial and revolutionary history of the United States, in a less degree to the history of the West Indies and British



America. The leading portions of the collection, as described, seem to be the following: a portion of the papers collected by George Chalmers; the Vernon-Wager papers, chiefly originating with Admiral Lord Vernon; a large collection of the papers of two British commissioners, Colonel Thomas Dundas and Mr. J. Pemberton, whose duty it was, between 1783 and 1790, to conduct minute inquiries into the losses, claims and services of the American Loyalists; the records of the Virginia Company and other early Virginian papers derived from the library of Jefferson; papers collected by Peter Force, relating to New Hampshire and other colonies (but Dr. Friedenwald reports that the continuation of Force's *Archives*, supposed to be possessed in manuscript by the Library of Congress, simply does not exist); a considerable mass of Delaware documents, especially of John Dickinson; the minutes of the Baltimore Committee of Safety, 1774-1776; those of the Council of Safety kept at Lancaster, Pennsylvania, 1774-1777; a series of 214 press-copies of Washington's letters, 1793-1799; the letter-books and many documents of Rochambeau; papers of the Count de Ségur and of Governor Thomas Pownall; papers of Henry R. Schoolcraft, of General John Sullivan, of General Nathanael Greene, of Colonel Ephraim Blaine, of President Monroe, 1804-1806, of Du Simitière and of John Paul Jones. A calendar of the last and of the Washington manuscripts may, it appears, be expected to appear shortly.

It remains to speak briefly of those matters of business, mostly transacted on this last afternoon, which have not been mentioned already. The Council exercised its new function of electing members of the Board of Editors of this REVIEW by choosing Professor A. C. McLaughlin of the University of Michigan. Article IV. of the Constitution of the Association was amended in such manner that henceforth six members of the Executive Council are to be elected by the Association instead of four. The two members immediately added were Professor George B. Adams of Yale and Professor McLaughlin. Mr. James Ford Rhodes of Boston was elected president for the year 1899; the names of the other officers and of the members of the committee will be found upon the next page. Mr. Talcott Williams having resigned from the Historical Manuscripts Commission, his place was filled by the choice of Dr. Herbert Friedenwald. With respect to the place of subsequent meetings, the Executive Council by formal vote pronounced in favor of a definite plan of rotation, in accordance with which the Association will meet one year in some city of the East, the next year in some city of the West, and the third year in Washington, its official home. This vote might naturally have led to the selection of a

Western town for the meeting in Christmas week of 1899; but the inauguration of the scheme was postponed one year, and on December 27, 28 and 29 the Association will meet in Boston and Cambridge. The American Economic Association, on the other hand, will meet in Ithaca.

The *Annual Report* of the Association for 1897 makes its appearance just as this issue of the REVIEW goes to press.

It would be an act of great injustice to close this account of a most interesting and successful convention without recording the fact that its interest and success were due, in greater measure than to anyone else, to the members of the local committee of arrangements, and especially to its chairman, Professor Edward G. Bourne of Yale University.

OFFICERS AND COMMITTEES OF THE AMERICAN HISTORICAL  
ASSOCIATION.

<i>President,</i>	James Ford Rhodes, Esq.
<i>First Vice-President,</i>	Edward Eggleston, Esq.
<i>Second Vice President,</i>	Professor Moses Coit Tyler.
<i>Secretary,</i>	Professor Herbert B. Adams.
<i>Assistant Secretary and Curator,</i>	A. Howard Clark, Esq.
<i>Treasurer,</i>	Clarence W. Bowen, Esq.
<i>Secretary of the Church History Section,</i>	Rev. Dr. Samuel M. Jackson.

*Executive Council* (in addition to the above named officers):

Hon. Andrew D. White,  
President Charles Kendall Adams,  
Hon. William Wirt Henry,  
President James B. Angell,  
Henry Adams, Esq.,  
Hon. George F. Hoar,  
Rev. Dr. Richard S. Storrs,  
James Schouler, Esq.,  
Professor George P. Fisher,  
Professor H. Morse Stephens,  
Professor Frederick J. Turner,  
Professor Albert Bushnell Hart,  
Hon. Melville W. Fuller,  
Professor George B. Adams,  
Professor A. C. McLaughlin.

*Committees* (in the order of their origin) :

*Historical Manuscripts Commission* : Professor J. Franklin Jameson, chairman, Professor William P. Trent, Professor Frederick J. Turner, James Bain, Jr., Esq., Herbert Friedenwald, Esq.

*Committee on the Study of History in Secondary Schools* : Professor A. C. McLaughlin, chairman, Professor H. B. Adams, George L. Fox, Esq., Professor A. B. Hart, Professor C. H. Haskins, Professor Lucy M. Salmon, Professor H. Morse Stephens.

*Committee on the Programme of the next Meeting* : Professor Albert Bushnell Hart, chairman, Professors H. B. Adams, H. E. Bourne, W. A. Dunning, C. H. Haskins.

*Committee on the Winsor Prize* : Professor Frederick J. Turner, chairman, Professors C. M. Andrews, E. P. Cheyney, H. L. Osgood, C. L. Wells.

*Committee on the History of Colonies and Dependencies* : Professor Henry E. Bourne, chairman, Professors Bernard Moses, H. Morse Stephens, F. Wells Williams, G. M. Wrong.

*General Committee* : Professor H. B. Adams, chairman.

*Committee on Bibliography* : W. E. Foster, Esq., chairman, Messrs. A. Howard Clark, George Iles, J. N. Larned, R. G. Thwaites.

## THE RECANTATIONS OF THE EARLY LOLLARDS

It is a curious fact in the history of national thought that the first considerable group of men who were persecuted in England for matters of religion submitted themselves almost without resistance to ecclesiastical authority. A group of bold, earnest, enthusiastic men in the first flush of an assertion of independent judgment and of the world's need of moral reform nevertheless abjured their beliefs, acknowledged the authority of the Church, and conformed themselves to its behests almost as soon as they were bidden to do so by its accredited officials. After the beginning of the series of prosecutions of this group of heretics in 1377, almost twenty-five years elapsed before the first man was found who carried his resistance to the bitter end. In a word, the whole of the first generation of the Lollards recanted.

Heresy was a new phenomenon in England. The medieval ideal of religious uniformity, of complete homogeneity of faith among all the individuals of the nation, over all the countries of Christendom, and through all the centuries of Christian time, had been existent in England to a remarkable degree. But in the later decades of the fourteenth century it became evident that this long career of unbroken orthodoxy was drawing to a close. Ecclesiastical revolt, radical religious ideas, and even actual heresy were showing themselves in several parts of the country and in various classes of society. The most conspicuous centre of this disaffection was undoubtedly the University of Oxford. Here the influence of Wycliffe became supreme, remained so till his retirement in 1381, and revived soon after that time to remain dominant for many years. In his personal teachings, in his disputations, and in his various literary productions, Wycliffe was taking a position antagonistic not only to many of the practices of the Church, but to much of its philosophy and theology; and he was moreover largely carrying the University with him.<sup>1</sup> Robert Rigge, the chancellor for the year 1382, favored his influence in every way. He appointed Dr. Nicholas Hereford, a prominent adherent of Wycliffe's views, to deliver the chief sermon of the year in the English language, that given on Ascension Day,

<sup>1</sup> Bull of Pope Gregory XI., of May 22, 1377; Walsingham, *Historia Anglicana*, Rolls Series, I. 346.

May 15. This was preached in the cemetery of St. Frideswide's, where Christ Church College now stands. It was distinctly directed to the populace, and expressed religious views that received more approval from the citizens of Oxford than from the conservative clergy.<sup>1</sup>

A month later the chancellor appointed, as the preacher of the Latin sermon on Corpus Christi Day, Philip Reppington, who had lately taken his doctor's degree, and in his first lecture had declared that in moral matters he intended to defend the doctrines of Wycliffe, and that in regard to the sacrament of the altar he would place a finger before his lips till God should further enlighten the hearts of the clergy. On this very day, which had been specially appointed to honor the doctrine of transubstantiation, Reppington declared Wycliffe's opinion of the sacrament to be true, the chancellor afterwards congratulating him upon what he had said.<sup>2</sup> At another time a student named William James, in the presence of all the masters of arts, declared that the Eucharist was mere idolatry; and the chancellor made no comment except to interpose the mild restriction, "if you speak as a philosopher."<sup>3</sup> Of course there were others who took a more conservative stand, but on the whole Oxford seems to have been dominated by the "Lollards," as this English party came to be called from their heretical predecessors on the Continent.

Partly an offshoot of this Oxford agitation was the propaganda of the so-called "poor priests." From as early a date probably as 1377, many preachers unauthorized by the proper church officials, under the constant direction and advice of Wycliffe and other Oxford men, were travelling through the country, "on foot, clothed in long garments of russet, all of one cut, sowing their errors among the people, and preaching them publicly in their sermons."<sup>4</sup> We know, unfortunately, but little about these "poor priests," but occasionally some of the more conspicuous of them leave a fuller record of their sayings and doings. John Aston, a master of arts of Oxford, travelled on foot through the country, refusing to use a horse lest his care and feeding might delay him, thus, as a contemporary opponent amiably describes him, "leaping up from his bed like a dog, ready to bark at the slightest sound."<sup>5</sup> On Palm Sunday he preached at Leicester, denying the power of prelates to excommunicate for other than spiritual offences, declaring that the

<sup>1</sup> *Fasciculi Zizaniorum*, Rolls Series, pp. 304-308.

<sup>2</sup> *Ibid.*, p. 306.

<sup>3</sup> *Ibid.*, p. 307.

<sup>4</sup> *Chronicon Angliae*, Rolls Series, p. 395.

<sup>5</sup> Henry Knighton, *Chronicon*, Rolls Series, II. 176.

rules of the monastic orders were attempts to make a more perfect religion than that of Christ and the apostles, and giving what was certainly an unorthodox definition to the doctrine of transubstantiation. But his strongest denunciations were reserved for the wealth, the luxury, the idleness of many of the clergy. He declared that there would never be a good and permanent peace in the realm until all temporal possessions were taken from the clergy, and he called upon his hearers to raise their hands in a vow that each would help as far as he was able in this object. On St. Matthew's day he preached at Gloucester in much the same strain, through here the special burden of his sermon was opposition to the crusade against France which was then being organized by the Bishop of Norwich.<sup>1</sup> This is of course the description of an antagonist, and we may safely credit the unauthorized preachers with more exhortation to devotion and teaching in the humble duties of life, and with somewhat less of polemic and destructive doctrine than appears here. But even so, disseminating, as they did, translations of parts of the Bible into English; preaching in the church-yards, the market-places, and the open roads; developing a more emotional and more popular religious life, they must have formed a distinctly new and disturbing influence, quite apart from the heretical views which they probably held and expressed.

Among the nobility and gentry there was much criticism of the existing organization and administration of the Church, and considerable irregularity of belief. John of Gaunt, Duke of Lancaster, the highest noble of the realm, supported Wycliffe and other Lollards on more than one occasion, and consistently antagonized the clergy. Henry Percy, Earl of Northumberland and Lord Marshal of England, was also declared to be a "fautor" of the Lollards. Sir John Montague, who subsequently became Earl of Salisbury, when he came into possession of the manor of Shevley removed all the wooden images of the saints which had been gathered in the chapel there by his predecessors and had them laid away in obscurity, excepting a certain figure of St. Catherine, which was such an especial favorite with the servants that he allowed it to be placed in the kitchen. Long afterward, when he met an inglorious and unshriven end at the hands of a mob at Cirencester, in the abortive rising of 1400, the chronicler points out that having been through all his life a derider of the sacraments and a scoffer at images, he himself closed his life without the comfort of the sacrament of confession.<sup>2</sup> At least three influential members of the King's

<sup>1</sup>Knighton, Rolls Series, II. 176.

<sup>2</sup>Walsingham, Rolls Series, II. 244.

council, Sir Lewis Clifford, who fought with John of Gaunt in Spain, in France and in Africa; Sir Richard Stury, an old servant of Edward III., and fellow-ambassador with Chaucer in Italy, and Sir John Clanvowe were known as Lollards. Later, Sir John Cheyney, Speaker of the House of Commons, and Sir Thomas Erpingham, Lord Chancellor, and, later still, Sir John Oldcastle, were adherents of the "new sect." Certain knights had received the soubriquet of *milites capuciati* because they refused to take off their caps or hoods when the host was carried past in the street.<sup>1</sup> Complaint was made by the more conservative that many of the gentry gave protection and support to the wandering preachers, forcing the villagers to attend their sermons, and preventing any action being taken against them.<sup>2</sup>

Not only at the university, among the lay nobles and gentry, and in the rural villages, but among the townsmen there was equal or greater religious unrest. In London a certain Peter Pateshulle, who had made use of a papal appointment to leave the Augustinian order, of which he had been a member, "escaping from the nest of the devil," as he expressed it, began making statements which purported to be disclosures of the enormities committed in the house of that order. He was induced to go to the church of St. Christopher to repeat these in more detailed form. Word was taken to the house of the Augustinians of what Pateshulle was saying, and some twelve of their number proceeded to the church to listen. Finally, one of them was unable to contain himself and rose to deny the charges. Immediately a scuffle ensued, the friars were ejected, the disturbance spread to the street and was only prevented from becoming a serious riot by the efforts of various men of influence in the city.<sup>3</sup> When John Aston, one of the Oxford men, was being tried for heresy at Lambeth, the sympathizing mob actually broke in the doors of the archbishop's room and put a stop to the trial.<sup>4</sup> At another time Lollard placards were fastened on the doors of St. Paul's and handed through the streets. The mayor and aldermen of London, carried along by the puritanic wave, declared that the bishop was neglecting his duty of punishing vice, and that immorality was thriving so that they feared that some judgment would fall upon them and that the city would be swallowed up by an earthquake. They proceeded, therefore, to take the matter into their own hands, arrested all prostitutes, shaved their heads, and had them drawn through the streets on open wagons, preceded by men playing pipes

<sup>1</sup> *Chronicon Angliae*, Rolls Series, p. 377.

<sup>2</sup> Knighton, II. 181.

<sup>3</sup> Walsingham, II. 58.

<sup>4</sup> *Ibid.*, II. 65.



and horns, to attract the more attention to their shame.<sup>1</sup> At Leicester, just outside the city gates and near the old lepers' hospital, was a chapel which served the Lollards regularly as a place for religious gatherings. Here a certain priest named William Swyn Derby preached to great crowds which gathered from the town and from the surrounding country. When he had been forbidden by the Bishop of Lincoln to preach any more in this or in any other chapel, church, or churchyard in the diocese, he chose a pile of millstones set out for sale by the highway as his pulpit, and defied the bishop to interfere with his preaching, "so long as he possessed the good-will of the people."<sup>2</sup> At Oxford on the occasion of Repington's Corpus Christi Day sermon already mentioned the mayor was present at the invitation of the Chancellor, and had with him a hundred armed men, twenty of whom accompanied the radical party subsequently to the meeting inside the church and thus helped to overawe the orthodox element. It is quite evident that the populace of the town of Oxford was in sympathy with the Lollards in the University. In Reading also and in Northampton tracts were being distributed by the religious agitators.

Among the lower clergy there was evidently much sympathy with one or another aspect of the prevalent revival. Chaucer's parish priest, one of the few men whose pictures he draws with a loving touch, was called a Lollard because he objected to profanity.

"'Sir parish prest,' quod he, 'for goddes bones,  
Tel us a tale,'  
.  
.  
.  
The persone him answerde, '*benedicite*,  
What eyleth the man, so sinfully to swere?'  
Our hoste answerde, 'O Jankin be ye there?  
I smelle a loller in the wind.'"<sup>3</sup>

Thus during the last two decades of the fourteenth century and the first three or four of the fifteenth we hear of Lollards in all directions. The statement of a contemporary chronicler that "scarcely would you see two men on the road but one of them was a disciple of Wycliffe,"<sup>4</sup> is certainly a great exaggeration, or true of only very limited localities. Moreover, by no means all of the agitation on religious questions was heresy. Nevertheless there is quite enough evidence to show that as great a wave of religious as of social and political unrest was passing over England; and that in many cases this religious dissent extended to actual heresy.

<sup>1</sup> *Ibid.*, II. 65.

<sup>2</sup> Knighton, II. 191, 192.

<sup>3</sup> The Shipman's Prologue, ll. 4-15, Skeat's ed. B. 1170-1176.

<sup>4</sup> Knighton, II. 197.

At first there was evidently some reluctance to take strong action to meet the rising tide of rebellion against ecclesiastical authority. Perhaps the bishops themselves were favorable to some of its objects. It was the age of the Statutes of Provisors and Praemunire, of the Spiritual Franciscans and of the Great Schism. Archbishop Simon of Sudbury was a moderate man, and the church authorities generally were bitterly reproached by the more strict of the next generation for their laxity. Perhaps the favor given to the movement by persons closely connected with the King may have combined with this moderation to bring about that neglect by which "they sent their sheep out exposed to the jaws of wolves, and no one of them lifted his staff to drive these away."<sup>1</sup>

Half-hearted suits were brought against Wycliffe himself in 1377, 1378 and 1381; but in the spring of 1382, under the influence of the new archbishop, Courtenay, a much more strenuous series of prosecutions was begun. On May 17th of that year a council of church officials and theologians met at the call of the archbishop in the hall of the Dominican friars in London. This body held seven sessions at intervals during May and June, and did much to bring the prevailing discussions and agitations to a culmination. In the first place, a number of statements of doctrine which were said to be habitually made by the Wycliffites in their sermons and disputations were formulated and condemned. The archbishop then proceeded to issue a general mandate reciting these condemned errors and heresies and prohibiting anyone from holding them, teaching them, or having any intercourse with any person who should hold or teach them.<sup>2</sup>

At the second session of the council appeared the chancellor of Oxford, Robert Rigge, and a doctor of theology, Thomas Brightwell. They were examined as to their recent actions in relation to the heretical party at Oxford, and also concerning their own beliefs. As to the latter they professed entire orthodoxy and agreed immediately to the statement of condemnation of the Lollard teachings. Then in penitence for the favor which the chancellor had recently shown to Wycliffe and his friends, Rigge went on his knees before the archbishop and humbly asked pardon. This was granted him through the mediation of the Bishop of Winchester. The chancellor was then ordered to seek out, to suspend, and force to recantation all persons at Oxford still clinging to the views officially condemned. As a result of this action Philip Reppington, Nicholas Hereford, John Aston and Lawrence Bedeman were brought before

<sup>1</sup> Walsingham, II. 188.

<sup>2</sup> *Fasciculi Zizaniorum*, pp. 272-282.

the archbishop and the council. After a certain amount of discussion and postponement Bedeman and Reppington made their peace with the archbishop and were restored to their positions at Oxford, the former on the 18th of October, the latter on the 23d. Aston was more recalcitrant, at least for a while, and he was handed over to the secular power for imprisonment. But his resistance only endured for a few weeks, when on the 24th of November he made the following recantation :

“In the name of God Amen. Y John Aston priest unworthy, required of my Lord the erchbyschop of Canturbery the nynetene day of June in the yer of grace a thousand thre hundred fourscore and two, in the hous of the Freres Prechoures at London whan y was required to say what y felyde in the matyr of the sacrament of the autere, y have knowlechyde, and yit I do, that the selfe bred that the priste holdes in his hondes is made, thorou the vertue of the sacramental wordus, verely the self Christus body that was borne of the mayden Marye and taken and suffrede deth on the crosse, and thre days lay in the sepulchre, and the thridde day ros from deth to lyve, and steyede up into heven and syttes on the ryght honde of God, and in the day of dome schal come to deme the quikke and the ded ; and over this I beleve generaly alle that holy writ determynet in worde and in understondyng, or what ever holy kyrke of God determynes of alle this.

“Whan J was requyred specyaly to say what I felde of this proposition : Materiale brede leves in the Sacrament after the consecration ; J make this protestation that I never thought ne taught ne prechide that proposition. For I wote wele that the mater and the speculation thereof passes in heyghte myn understondyng, and therefore als mykele tellys openly for to leve in this mater I beleve, and of this mater or of any other touchyng the ryght beleve of holy kyrke, that is nought expresside in holy writte, I beleve, as oure modur holy kirke beleves, and in this beleve I will dye, and of this thing I beseke alle men and alle wymmen to whom this confession come to bere me witnesse before the hygest juge at the day of dome.”<sup>1</sup>

Nicholas Hereford, the remaining Oxford teacher who was under prosecution, fled from England, journeyed to Rome and appealed to the Pope. After a hearing before a convocation of the clergy there, however, he was condemned and committed to prison. Freed from the papal prison by the Roman mob in one of the frequent risings of this period, Hereford returned to England and eluded arrest for a time ; but in 1391 he gave up his resistance, obtained royal protection, and was reconciled to the Church.<sup>2</sup>

Thus the whole group of Oxford contemporaries of Wycliffe, so far as they had become prominent enough to attract attention, recanted. Wycliffe's own retirement to the obscurity of Lutterworth seems, notwithstanding his continued literary activity, to have placated sufficiently the conservative forces of his own time.

<sup>1</sup> Knighton, II. 171-172.

<sup>2</sup> Forshall and Madden, *Introduction to the Wycliffite Versions of the Bible*, Vol. I., p. xvii.

In the various other places where heresy was growing up we find the same readiness to recant when pressure was brought to bear. William Swynnderby, who had gathered the crowds of Leicester and its vicinity to listen to his preaching from the millstones in the King's highway, was summoned by John Buckingham, Bishop of Lincoln, to appear before him on a certain day in the cathedral at Lincoln. Here he was convicted of teaching various errors and heresies and remanded to the bishop's prison. The Duke of Lancaster happened to be there at the time, and the friends of Swynnderby appealed to him to use his influence with the bishop to obtain for the heretical preacher an easy form of retraction or a mild punishment. His recantation was, however, humiliating enough. He seems to have made no resistance to the bishop's requirement, which was that he should declare on oath that all those things which he had taught and which were now objected to had been false, that he should swear never to preach such things again, and that he should promise not to speak publicly again under any conditions within the diocese of Lincoln, without the special permission of the bishop. Moreover, he was required to take the same oath openly and audibly after service on each of the succeeding Sundays, in three parish churches in Leicester, and in the churches of Melton Mowbray, Halyton, Hareborough and Loughton; so that all the people who had before listened to his bold preaching should now hear his recantation.<sup>1</sup>

William Smith, a friend and fellow-worker with Swynnderby, was forced by the Archbishop of Canterbury to recant at Leicester, in 1392, and by way of penance was required to walk around the market-place, clothed only in his shirt, carrying a crucifix in his right hand and an image of St. Catherine in his left. The archbishop also compelled him to surrender his translation of the Bible into English, and other works which he had been engaged in writing for the previous eight years. Roger Dexter and his wife were at the same time required to walk around the public square in shirts and carrying crosses.<sup>2</sup>

In the same year, 1392, when the King was holding a great council at Stamford, the ecclesiastical members and a number of other churchmen were gathered into a convocation in the church of the Carmelites of that city to examine a certain Henry Crumpe. He was an Irishman, a doctor of theology, a member of the Cistercian order. He had ranked as a conservative in the times of Wycliffe at Oxford, but had subsequently preached heresy in Ire-

<sup>1</sup> Knighton, II. 189-198.

<sup>2</sup> Knighton, II. 312.

land and was now teaching questionable opinions at Oxford. He made some defense of his views, but finally, on the 30th of May, in the presence of the archbishop and a large number of ecclesiastics and laymen, at the church of St. Mary, abjured all irregular teachings. He was forbidden to teach or to preach further without the special license of the archbishop.<sup>1</sup>

John Purvey, an intimate personal friend of Wycliffe and joint translator with him of the Bible, after almost twenty years of preaching and writing was imprisoned in the archbishop's prison at Saltwood, and then brought before a council of the province of Canterbury at St. Paul's in London, on the 29th of February, 1400. Here he made, in Latin, a most abject recantation, which he was compelled to repeat in English at St. Paul's Cross, Sunday March 6. A part of his abjuration before Convocation is in the following terms :

"In which matters I have humbly submitted myself and do at present submit myself to the correction, judgment, and instruction of the reverend father and lord Thomas, Archbishop of Canterbury, with his council, acknowledging the truth of the Catholic faith and my former errors and heresies ; and standing here in person, not induced by violence or fear, but purely, spontaneously and freely, I curse and abjure forever all my heresy, and especially that with which I have been recently charged."<sup>2</sup> At the same time John Becket of London and John Seynon of Darton, both laymen, made public recantation of their Lollard opinions.

It is impracticable to follow out every instance of persecution for heresy during these last two decades of the fourteenth century, but in all cases we find the same result : whenever any considerable degree of pressure on the part of the authorities is brought to bear, recantation follows. It was not until 1401 that a poor chaplain of Leicester, William Sawtre, after one recantation refused again to belie his opinions, withstood a long and harassing trial, and was finally burned at Smithfield. It was nine years more before the first instance was found of a man who never recanted, but clung to his beliefs faithfully all the way to the stake.

This brings us again to our first question. Why did the early Lollards all recant? The general giving up of religious beliefs under persecution has not been a familiar historical occurrence. Readiness to desert personal religious convictions has not been generally characteristic of human nature. On the contrary it has been a very common phenomenon for men to exhibit a devotion to

<sup>1</sup> *Fasciculi Zizaniorum*, pp. 343-359.

<sup>2</sup> *Fasciculi Zizaniorum*, p. 400.

their peculiarities of religious belief quite sufficient to withstand the bitterest persecution and the most repulsive forms of death. The very successors of these same heretics, the Lollards of the next generation, from about 1415 to 1450, showed themselves a peculiarly stiff-necked people and furnished a roll of martyrs quite worthy to compare with those of the next century. Under Henry VIII., under Mary and under Elizabeth, there was but little shrinking from the consequences of faithfulness to religious beliefs whether Catholic or Protestant. Hundreds of men and women then, as thousands before and since, went to the stake readily enough, when a simple recantation would have saved them. Men have been on the whole much more ready to die for their religious principles than to desert them. It therefore remains all the more a curious question why all the early Lollards who were persecuted recanted.

Some elements of the solution of the problem lie ready to hand. An appreciable number of those subjected to prosecution probably looked upon the whole discussion as a matter of academic interest only. They considered the dispute as to the nature of the Eucharist as a question of dialectics. This was especially true of the Oxford men. Much of the intellectual life of the universities of the time consisted in the drawing of fine distinctions, in making ingenious interpretations of the words of the church fathers and the philosophers, in the infinitely continued formulation and recapitulation of definitions and arguments and inferences. Wycliffe himself was first of all a schoolman, a disputant. For instance, in defending his thesis that the bread after the ceremony of consecration was not transformed in its substance, but only in its significance, he declared that it was similar to the case where Gregory or Innocent is converted into a pope, but remains the same man as before, or where a sinner is transformed into a good man, or where wood is converted into an image, or water into ice, but all remain essentially the same as before. Or again, combatting the doctrine that the bread ceases to be bread in substance, though it retains evidently its accidents of whiteness, roundness, taste, solidity and such qualities, he said that in that case the consecrated bread was infinitely lower in its nature than horse-bread, or rat's bread, or even than a rat's dung, for all of these at least have substance, while the sacramental bread is said no longer to have its substance; but as all substance is infinitely more perfect than any mere attribute, the syllogism is complete and the sacramental bread is the inferior.<sup>1</sup>

Wycliffe, it is true, in addition to the disputant, was a great reformer, an earnest, intensely religious man. Many other men ap-

<sup>1</sup> *Fasciculi Zizaniorum*, pp. 108-109.

preciated and participated in the former part of his interest, but did not share in the latter. For them it was one thing to hold and defend these radical opinions for dialectical uses, for the excitement of academic debate; it was quite another to stand by the same beliefs when ordered to abjure them by the constituted authorities. Probably several of the most prominent of the early Lollards recanted because their views were only academic, not really serious or earnest, or in any proper sense religious.

A second class of those whose heretical beliefs did not lie very deep might be described as those who were led into them largely by their political interests. In the scheming and intrigue for political influence which in the latter years of Edward III. and during the reign of Richard II. took the place of the more worthy party divisions of other and better periods, one of the most constant threads of policy was a certain antagonism to the clergy. Many men of ambition and activity in political life found it to their interest to oppose the prelates who were at that time doing so large a part of the work of government. Opposition to the clergy ran easily into opposition to the organized church. Participation with the more earnest Lollards in their criticism of the existing church system could hardly be distinguished from sharing with them their divergencies of doctrine. It is probable that many of those who earned the condemnation of the orthodox element really shared but slightly in the most earnest parts of the religious excitement in the country. And it is only natural that such men should readily desert their party when suspicion of holding heretical views became a serious detriment to their political success. John of Gaunt gave no support to the Lollards after the Peasants' Rebellion of 1381. In 1395, when King Richard was carrying on a campaign in Ireland, two of the bishops came over to him to complain of the activity of the Lollards and to charge their boldness to the support they received from some of the members of the King's council. Richard, stricken with one of his sudden fits of anger, hastened to London. The scene with the accused councillors is better told in the words of a chronicler who was living at the time than it can be in any more modern English.

"The kyng whan he had conceyved the malice of these men, he cleped hem to his presens, and snybbed hem; forbad hem eke thei schuld no more meynnten no swech maters. Of Richard Story he took a hooth, for he swore on a book that he schuld nevyr meynnten no swech opinionones. And after this hooth the king saide—'And I swere here onto the, if evyr thou breke thin ooth, thou shal deye a foul deth.' They that were gilty in this mater withdrow gretly her oterauns of malys."<sup>1</sup>

<sup>1</sup> Capgrave's *Chronicle of England*, Rolls Series, p. 260.



Sir Lewis Clifford, another old-time supporter of the Lollards, signalized his desertion of them in 1402 by communicating to the Archbishop of Canterbury a series of statements of doctrines which they had put forth and the names of those who were responsible for these doctrines.<sup>1</sup>

Still a third class might be distinguished as men of extreme, unbalanced, or visionary temperament, who might fairly be expected to adopt readily any unusual opinions, but who would be likely to give them up with equal readiness, or from equally insufficient motives. For instance, a certain knight in Wiltshire, named Lawrence de St. Martin, asked for the communion on Easter even; but when the priest handed him the consecrated wafer, instead of putting it into his mouth he took it in his hands, rose from his knees, and carried it home, fastening the door, dividing the bread into three pieces and eating one with oysters, one with onions and one with wine. He then announced that it seemed very much like any other bread, such as he had in his house already. Meanwhile the priest had followed, imploring him not to commit so great sacrilege, and the servants of his house drew back in astonishment and terror. One can hardly conceive of a piece of more ill-placed levity and of more reckless impiety, according to all medieval standards, and one is therefore hardly surprised to find St. Martin succumbing immediately when, a few days afterward, he was summoned before the Bishop of Salisbury and ordered to submit himself to the advice of a number of clergymen who were sent to visit him. Very soon he announced his conversion to orthodox views, asked the bishop's pardon, and declared himself willing to undergo any penance that should be imposed upon him. The bishop ordered him to erect a stone cross at Salisbury on which should be carved the whole story of his enormity, and required him to appear there repeatedly on holidays, with uncovered head, barefoot, and clad only in his undergarments, to make a public statement of his penitence and disavowal of his previous impious views.<sup>2</sup>

Again, there was a certain old gentleman (*venerabilis miles*, the chronicler calls him), of London, named Sir Cornelius Clowne. He had been a believer in Lollard doctrines, but was much impressed by the solemnities of a certain religious procession which passed through the streets of London in recognition of the decision of the council of 1382. The day after the procession he attended the celebration of the mass by a young priest in the chapel of the Dominicans. As the celebrant broke the bread the knight saw with wonder that,

<sup>1</sup> Walsingham, II. 253.

<sup>2</sup> Walsingham, I. 450-451.

instead of its previous aspect, it had all the appearance of veritable flesh, raw and dripping with blood. Moreover, as the third particle of the bread, as is usual, was about to be dropped into the cup of wine, Clowne saw plainly the letters of the word "Jesus," bloody and flesh-like in the whiteness of the piece of bread. He was immediately convinced of the truth of transubstantiation, and himself the next day, after the sermon, narrated his vision publicly and announced himself as intending to live and die in the belief that in the sacrament of the altar there is the true body of Christ, and not merely material bread.<sup>1</sup>

The fourteenth century seems to have been especially marked by a certain lack of mental balance and calmness. The constructive work of the great medieval, philosophical, theological and legal writers had been completed in the thirteenth century; the fifteenth century was to be provided with new intellectual material and interests through the Renaissance; but lying between these two was a period of intellectual restlessness, criticism, aimlessness that lent itself especially easily to all sorts of aberration. The "Vision" of William of Hampole, as that of another William, "concerning Piers the Plowman," alike give evidence that England was not without a tendency corresponding to that mysticism which was so prevalent on the Continent.

But after all the problem of the recantations is not yet solved. If those men are eliminated whose ready abjuration is explained by their merely disputatious interest, or their political schemes, or their unbalanced minds, there still remain others who are not to be so accounted for. There were men who were earnest, sincere, moderate; and yet these also recanted when put under pressure. Men who had given years of devotion to the cause deserted the cause when they were placed in a critical position. Men recanted who had given every evidence of capacity for self-sacrifice and every indication of moral courage. A reason must be found which will include such men as well as those classes previously described.

The explanation will probably be found not in characteristics of human nature, but in characteristics of the time to which the phenomena belong. In fact this is the solution suggested, the irresistible pressure of the age to bring about uniformity, the incapacity of the single individual to place himself permanently in opposition to the mass of the community.

It is true that the fact of these men submitting only when authority was asserted shows that the immediate cause for their abjuration lay within the realm of fear; but it was not so much the

<sup>1</sup> Knighton, II. 163-164.

fear of material punishment, nor of ecclesiastical condemnation, nor even of spiritual danger, as it was the fear of isolation, the dread of separation from their kind. They lost their courage, but it was under the stress of an overwhelming recognition that by their divergent beliefs they were separating themselves from the vast mass of Christian mankind. Each felt himself to be one man against all the authority, all the learning, all the organized order and agreement of Christendom past and present. Above all, each man must have endured an internal conflict, his reason warring against his own gregarious instinct, against that corporate spirit of the time in which he himself so completely shared.

It is somewhat difficult for us in our own individualistic modern times to realize the strength of such a feeling to a man in the fourteenth century. The whole character of the Middle Ages tended to subordinate a man to the organization of which he was a member. If a man earned his living by the cultivation of the soil, as did probably four-fifths of the population, he was a member of a village community whose farming and other industrial operations were interwoven and combined almost inseparably. Intermingled holdings, common pastures, co-operative performance of service, made a man almost as dependent on his neighbors as on himself. The political life of the group of villagers was a congeries of mutual dependencies and common responsibilities. Their religious life gathered them all in the same parish church. Bound together into a single body by economic, legal and social ties, the unit of rural society was not so much the individual man as it was the village or manorial group. A townsman was primarily a constituent part of some merchant or craft guild within the bounds of which were included his whole life and career, its material necessities, its possibilities of ambition, its social and intellectual enjoyments. It was his guild that obtained for him his opportunities and privileges in trade, that kept up the shrine about which his religious life centered, that organized the mystery plays in which he participated, that administered the charitable funds that might give succor to him in his misfortune or relief to his widow and orphans. It was his guild that would unite priest and brethren in masses for his soul after his death. Such a man was not so much an isolated individual as a part of a certain organized body, that is to say his craft, trade, or at the broadest his civic fraternity.

Similarly, if medieval society is looked upon in its feudal aspect it consists, at least in its upper strata, of a group of persons all closely bound together by reciprocal services and duties. The "religious" man or woman was a unit in some monastic order, from

whose property he drew his sustenance, to whose rules he conformed his life, whose constituted authorities he obeyed. Thus through all society in the Middle Ages ran this corporate feeling, this instinct of union and close combination with other men. The man who was not united with other men in a somewhat similar position would have felt himself, as in most cases he would really have been, miserable indeed. Moreover the medieval type of mind was thoroughly satisfied with such a subordination and inclusion of the individual in the larger body. The individualism in which the modern man rejoices, or perhaps until recently has rejoiced, his willingness to be the free lance in industry, in travel, in enjoyment, in thought, in religion, was a characteristic or a product of the period of the Renaissance and of the Reformation. The Middle Ages knew little or nothing of it. The recognition that he is one against the world is an exhilarating thought to a modern man; to the medieval man it would have meant utter misery.

Thus when a man realized that he was, in the most omnipresent of all medieval relations, that of religion, actually alone, separated from his fellow-men, excluded from the society to which he naturally belonged, under all but universal condemnation as a traitor to Christendom, one cannot wonder that a sudden fear, a loss of all courage and strength of resistance might have seized upon him, and an entire resignation to the authority of the universal church have followed. An almost pathetic instance of this occurred in 1387. A certain priest, of Lollard views, serving in the household of Sir John Montague, having become ill and feeling that he was upon his death-bed, asked that a priest should be summoned to whom he could confess and from whom he should receive extreme unction. Some servants of the family reminded him that he had often taught them that all confession to another is unnecessary; that if a man confessed to God it was quite enough. He only answered to say that he had sinned, but now wanted a priest. Then Dr. Nicholas Hereford, the great Oxford Lollard, who happened to be present in the house at the time, was summoned to his bedside and urged him to cling to his old beliefs. But the dying man only reiterated his request, declaring in his agony that he only wished to die as a Catholic, and that the sin of his departure unshriven would rest with those who were now denying him the opportunity of confession. And the poor wretch finally died in the midst of his longing for the customary last rites of his Church. It is not hard, probably, even for us, to feel how in the gathering mists of death all disputes, novelties and intricacies of doctrine lost their clearness and force, and only a great longing remained to die as his fore-

fathers had died, as other Christians were dying, to die, as he said, *catholice*.<sup>1</sup>

The effect of a trial before the church authorities and a great gathering of the orthodox clergy and laity was measurably the same. When an Aston, a Purvey, a Swynderby had to face the archbishop and a whole group of bishops and other churchmen ; when it was so evident that these prelates represented the Church as a whole ; when it was felt that the Church was synonymous with the whole community of Christian believers dead and living ; not only all these outward powers but his own instincts pleaded with him for concession, for retractation of all that separated him from the Church ; in a word for recantation.

The great force therefore which broke down the religious independence of the early Lollards, which induced them to desert the heretical beliefs which they had adopted, was the collective spirit of the age, a spirit which they themselves fully shared. It was an instinctive tendency to allow the individual to be dominated by society as a whole. Not until the thought of resistance to the Church had become much more familiar, till there were many more sympathizers with such resistance, and above all until a fundamental change in the whole structure of society had encouraged the development of more individualism, were many men found who would or could withstand to the end the pressure of organized ecclesiastical authority.

EDWARD P. CHEYNEY.

<sup>1</sup>Walsingham, II. 159-160.

## NAPOLÉON'S PLANS FOR A COLONIAL SYSTEM<sup>1</sup>

THE close of the Seven Years' War saw Great Britain in the ascendant wherever, throughout the globe, she had come into hostile contact with France. But the balance of 1756 was somewhat redressed in favor of the French by the success of our Revolution. During the years from 1783 to 1792 French history was concerned almost entirely with financial matters, and when the cost had been reckoned of the slender prestige gained in the American war, a contest in which, as both British and French firmly believed, the death-blow had been given to the world-empire of Great Britain, it was found that not the least of impending disasters for France was that of another world-wide war and empty pockets. Between 1792 and 1815 one coalition after another was hurled upon France and her life was one of shocks and spasms. Through these she passed staggering and often hysterical, occupied in the main by the thought of self-preservation but yet concerned from the beginning and at intervals thereafter with a sense of obligation to restore and consolidate a colonial empire.

Accordingly the Revolution had scarcely begun its career when the French India Company was abolished and all its offices incorporated with those of the government. When war was declared in 1793 Brissot announced as part of his programme the annihilation of British power in the East. The Treaty of Versailles had not only restored to France her five Indian dependencies, it had given her a finer and more compact territory in that peninsula than she had before controlled. With anything like unity of plan and harmony of action, she might hope to array under her banners native populations sufficiently numerous and strong to embarrass if not to rout the British power, engaged as it was, to the north, in a life and death struggle with the Mahrattas and with Scinde, the main support of which latter state was the famous Savoyard adventurer,

<sup>1</sup>J. Tessier in *Revue Historique*, XV. 349-381; H. Adams, *ibid.*, XXIV. 92-130. Sassenay, *Napoléon I<sup>er</sup> et la Fondation de la République Argentine*. In this volume the reader will find an account of the sources and a bibliography, together with some unpublished documents. Extended examination of other unpublished papers, both letters written by Napoleon himself and the diplomatic correspondence of his time, has yielded a scanty harvest, but it affords a reasonable assurance that what is of value relating to Napoleon's colonial schemes is here given in outline.—This paper was read before the American Historical Association at its recent meeting at New Haven.

Benoît de Boigne. Hyder Ali and Tippoo Sahib were antagonists equally redoubtable in the peninsula proper. Their conduct was largely controlled by French revolutionary influences. Seringapatam was the seat of a powerful and active Jacobin club, the leading spirit of which was one Ripaud, a swaggering adventurer claiming to represent the French revolutionary government. By 1790 the revolutionary movement was dominant in Pondicherry and popular representative institutions were established. The well-tried leaders were promptly deposed, jarring and factional politics were rife among not only the settlers but the natives, and when the English general Floyd appeared in 1793, the town fell without having made any adequate resistance. When Wellesley, afterward Lord Wellington, captured Seringapatam in 1799, just about the time when Bonaparte was invading Syria and the Russians were crossing into northern Italy, the Indian victory of the British was everywhere regarded as a staggering blow at Revolutionary France. It is estimated that, counting all the troops organized and fighting as regulars under French officers in India, there were collectively in the respective services of the Begum (Sombre), of Tippoo, of the Nizam, of the Scindia and of the Holkar, not fewer than 60,000, and that perhaps 150,000 Hîndus were more or less under the spell of their example and possibly available in a crisis. Of these men, not merely were the Asiatic masters hopelessly divided but the European leaders were likewise enemies one of the other, being some Jacobin, some extreme royalist reactionaries. They quarrelled, and instead of uniting in a great French movement, degenerated into mercenaries with little or no influence. This was partially due to the diplomacy of the British, which in every tactical move managed to deal some stroke which further weakened or disunited the French adventurers.

The failure of Bonaparte's Egyptian expedition would presumably have ended French pretensions in the East; the more so because a British Indian expedition, composed in part of a few European regiments, but mainly of 6000 sepoy, actually assumed the aggressive, embarked at Bombay and landed in May 1801 at Kosseir in the teeth of the French fortress constructed there by Belliard, descended the Nile and early in August formed a junction at Cairo with a British force from England. Yet in spite of this startling phenomenon, viz.: the revelation of a power in British India not content with maintaining itself, but strong enough for offensive aggression, the First Consul lent a willing ear to the projects of the Czar Paul for a joint land expedition against India. Nay, more, he carefully studied them. Both his criticisms and the rejoinders of Paul are in existence. Each "of the two most powerful nations of the



world" was to furnish 35,000 men. The forces were to meet at Astrakhan, whence, under the leadership of Masséna, they were to advance toward the Indus. The journey, it was thought, would be little more than a pleasure excursion, for with a free hand presents would be showered on all the petty chiefs and sovereigns encountered by the way; learned men would explain in the various vernaculars that the sole object of the march was to expel the British from India; specialists in all branches of natural science should observe the strange new flora, fauna and climates with a lavish equipment of instruments of precision, from among which balloons were not excluded. Thus the lines of commerce would be open to Russian and French enterprise, while simultaneously a deadly foe would be mortally wounded in his vital extremities. Paul's advance guard actually crossed the Volga on the ice in March, 1801; but his untimely death (he was murdered on March 23) put an end to the "Grand Project," as the originator designated it.

Still Bonaparte was undismayed, and at the close of the same year, before the peace of Amiens was signed, he had selected an agent to represent French interests in India. His choice fell upon General Decaen, a man who had fought gallantly at Hohenlinden and who was considered to have in him the making of a second Dupleix. A plan was discussed, studied and matured, whereby on June 18, 1802, Decaen was appointed "Captain-General of the French Establishment in the Indies." But there was a long standing quarrel between Decaen and Decrès, minister of the navy. More or less friction arose even under the watchful eye of the Chief-Magistrate, who would tolerate no open rupture. It was therefore not until March 5, 1803, that the little expedition was actually ready, and sailed. Decaen's instructions were to avoid rousing any anxiety in the minds of the Anglo-Indian leaders and carefully to conceal the views of his government. If any new proof were needed of the scarcely concealed contempt in which Bonaparte held the peace of Amiens it could be found not only in the selection for such an office of a man like General Decaen, an avowed fire-eating Anglophobe who had repeatedly and urgently requested a mission to India, only that he might fight the English, but also in the text of the instructions given to the general, a paper written nine months after the peace of Amiens was signed, but cogitated and studied even before that short truce was negotiated. Decaen was to put himself in communication with whatever Indian peoples wore the English yoke with the least patience; six months after his arrival he was to set forth in a memoir his views as to maintaining himself in the peninsula, should war break out; lastly he was carefully to

examine the problem of how and whither he could retreat in case France should not secure the mastery of the seas. The composition of his expeditionary force was even more significant. There were 1250 men, half French troops, half negro soldiers who had fought in Guadeloupe. But there were no less than seven generals and a corresponding number of lower-grade officers. It was clear to every English observer that a powerful native army was to be formed under French superiors. On the outward journey Decaen carefully reconnoitered the Cape of Good Hope, but found to his disillusionment that though again in Dutch hands there was a powerful body of public opinion much more favorable to Great Britain than to Holland. The numerous British troops stationed there during British occupation had not merely been acclimatized to good purpose for use in India, but had powerfully influenced the imaginations of the settlers and had directed their attention to the value of British connections. It was clear that when the truce was broken the colony would immediately revert to Great Britain unless measures were at once taken to fortify it against British seizure, and this he urged in his dispatches.

When finally on July 11, 1803, Decaen's ship reached Pondicherry he found to his dismay that the British flag had not been lowered, and further that one of his consorts which, not having called at the Cape, had already arrived, was anchored between two British men-of-war. Negotiations with a view to landing the French and the cession of the five settlements had already been commenced; they were continued with such pressure as Decaen could bring to bear and lasted until September, when the news of the rupture of the Treaty of Amiens was officially communicated by the British authorities to the French, with the statement that the expedition must be considered as prisoners of war. This, of course, applied only to the portion still at Pondicherry with Benoît, for under advices from Paris Decaen with the larger part had slipped away to establish himself as commander of the naval station in the Islands of France and Réunion. There, for eight long years, he harassed English commerce as best he might with swift and implacable corsairs. And what man could do by emissaries, bribes, and every known means of secret diplomacy to keep alive French feeling in India, he did with fiery zeal. His mission belongs like the others which we are cataloguing to the list of Napoleon's futile enterprises.

But the real compensation for French losses in the Orient was to be found, as Bonaparte fondly hoped, in the new world. There are two opinions as to what the scheme of the First Consul really

was : Thiers thinks that he had centred his hopes in Louisiana, but most historians believe he had reverted to the traditional French policy and had not abandoned the thought of San Domingo, as central to a vast French colonial system in the West. It was as early as 1795 that the French Republic forced on Spain the reluctant cession of her portion of that island. On the prospect of temporary peace, in August, 1800, two months before the preliminary negotiations were opened, Berthier was sent to Madrid to secure the cession of Louisiana ; for the next three years Napoleon pursued with tenacity a policy which sought by every possible means to make San Domingo, Guadeloupe and Martinique independent for their necessities of all other sources of supply than Louisiana. He hoped to knit into a firm commercial, social, and political union the French possessions of the Antilles and the main land, cutting out the United States altogether or at least as far as possible from the rich commerce which they carried on with the islands. The strength of this plan in time of peace is perfectly evident ; its weakness in time of war, when the sea power of Great Britain would again be in the ascendant, is likewise clear. It is the latter consideration which leads those who can see no spot on the sun of Napoleon's greatness to conclude that his main object was the firm establishment of Louisiana as a centre of French power.

By October 7, 1801, on the very heels of the ratification of the peace preliminaries, the expedition to suppress Toussaint Louverture and inaugurate the new colonial policy was ready. The scheme, even as far as known to the public, was regarded as of the first importance. If successful, negro supremacy would be ended, the institution of slavery restored and the patriarchal system of white planters everywhere re-established. In so far as popular or quasi-popular government under negro leadership had been identified in the western world with French republicanism, its suppression at the hands of the French republican soldiers who formed the core of the expedition, under the leadership of the First Consul's brother-in-law at that, would be a terrific blow at the radical side of the Revolution. On the basis of this fact Talleyrand, at the First Consul's dictation, appealed secretly on November 13, to the court of St. James for its consideration, while in his exposé of the public affairs (November 22) and to Toussaint himself Bonaparte evasively and by suggestion held out the hope of complete liberty for all his subject colonial populations. This double-dealing cannot be too strongly stigmatized, but the effort was virtually approved by the other great powers, who knew the truth and perhaps thought that the restoration of the aristocratic system in the French colonies

would react on France herself. It may be remarked in passing that no portions of the St. Helena reminiscences of Napoleon are more misleading than those in which this great colonial enterprise is discussed. Its failure is attributed to Leclerc's disregard of instructions in identifying himself with the white creoles while dealing too liberally with the black and mulatto leaders and too harshly with the negro masses; in particular the great memorialist appeals for the justification of his own plan to a decree of 1801 assuring liberty to the negroes of San Domingo, Guadeloupe and Martinique; there is no such decree and that of like date a year later in 1802, to which manifestly he intended to refer, re-establishes slavery in Guadeloupe! Decrès, writing under Bonaparte's instructions to Richepanse, the French agent in Guadeloupe, on July 16, 1802, eighteen months after the date of Leclerc's instructions, enjoins his correspondent to let the "yoke of wholesome prejudice" under which the blacks have been kept in subordination, continue to weigh heavily upon them. To prevent effectually any extension or perpetuation of native organization in behalf of liberty or even independence, the black and mulatto leaders were to be deported. In short, Bonaparte believed with others that slavery was the one corner-stone upon which his colonial system could rest; all his talk at the time about freedom was a pretext to blind the French radicals at home, and his attempted exculpation of himself at St. Helena was nicely calculated with a view to win the English Whigs.

While the First Consul clearly understood how indispensable American friendship was in the development of his enterprise and had negotiated the convention of September 30, 1800, in order to remove all friction with the United States, yet he was aware that the commercial relations between them and the Antilles must be severed. Leclerc complained bitterly (Leclerc to Decrès, February 9, 1802) that rebellion was fomented and supplies furnished to the rebels by the Americans. The latter, he declared, hoped for nothing short of independence for the Antilles in order that they might monopolize the rich trade.

So loud were the complaints of Leclerc that they embarrassed the French agents elsewhere, and Pichon the *chargé d'affaires* at Washington reproved him. The pathetic tale of Toussaint Louverture, the negro leader in San Domingo—of his betrayal into the hands of his enemies and his death in exile, is an episode of French history utterly disgraceful to the actors in it. The martyr was terribly avenged. Overwhelmed by defeat and calamity Leclerc died on November 2, 1802, a victim of the yellow fever, and Rochambeau, as his successor, had a career of mismanagement and cruelty fol-

lowed by almost unexampled disaster. But in the interim Bonaparte builded zealously on his colonial structure. On October 15, 1802, the King of Spain under strong pressure signed the cession of Louisiana; on November 26 the First Consul approved the secret instructions to Victor, who was to be captain-general of Louisiana, an acquisition, it was now explained, which was destined to render the Antilles independent of the United States; and on the day following he offered to the King of Spain an exchange:—Parma in return for the coast of the Gulf of Mexico, all the way around from the river St. Mary's on the Atlantic to the Bravo del Norte, the boundary of Mexico. This would consolidate his great self-contained and self-sustaining colonial system by effectually and permanently excluding the United States from the Gulf. Nay more, the Spanish colonies would be the subordinate complement of the French, and from both not only American but English influences would be absolutely cut off. Such was Bonaparte's magnificent plan for the expansion of his world-empire. It must not be forgotten that Louisiana as he received it from Spain was what Spain had received from France; it was not confined in its pretensions to the basin of the Mississippi in its widest extent, but claimed Texas with the Gulf coast and an extension to the Pacific on the far northwest. There is still in existence an outline description containing these pretensions. It is in the French Foreign Office in a corrected draft and, though unsigned, appears to have been the work of Marbois.

The first check to this grand colonial plan came on December 19, when the receipt of alarming news from San Domingo compelled the expedition thither of part of those troops which had been intended for Victor and Louisiana. The loss was unimportant in one sense, because even the two thousand men reserved for Victor were intended rather to adorn the captain-general's dignity than as a means of forcible offense. This is clear because Laussat, the envoy sent to take possession, went alone; there could be no resistance on the return of a French possession to French administration.

Very specious arguments to prove that the rupture of the peace of Amiens was not the work of Napoleon might be based upon the fact that for the successful development of this vast scheme peace was essential, and that he confessed it to be so in a dispatch to London intended for the British government, and dated November 13, 1801. But the question of overt responsibility for the renewal of European war is too complex for such a simple solution. Without a moment's rest throughout the interval of peace the Consul and Emperor incorporated successively Poland, Piedmont, Switzerland, Parma and minor domains like Elba into his European system.

England would give up neither Malta nor, as we have seen, the five settlements of India. The United States began to display uneasiness over the occupation of Louisiana. The San Domingo expedition was manifestly to be a failure or at best a far too costly success: thirty thousand men was an awful sacrifice to make in a single year. It grew more and more manifest that with the increasing irritation and menacing armaments of Great Britain success in two hemispheres was impossible and that the better chance lay nearer home in the eastern.

There is no evidence whatever that Napoleon thought lightly or flippantly of colonial expansion. If the greatest of all the expeditions in which he was engaged, that to Egypt, be regarded rather as a blow at Great Britain than as primarily a colonial enterprise, and this is the fact, yet even in connection with the military arrangements of an offensive movement there were elaborate preparations for settlement and administration. The expedition of Decaen though likewise a side-stroke at England was primarily intended to restore the glories of French rule in India. The second treaty of San Ildefonso, it must also be remembered, enlarged the borders of French Guiana at the expense of Spanish America. As to the Louisiana enterprise, on the contrary, it cannot be asserted that except in the most indirect way there was any thought of hampering Great Britain. Yet the published correspondence of Napoleon teems with evidence of the care and forethought with which preparations for permanent settlement were made. The expenditure of money and energy was enormous, and it was to those bound to him by marriage that he entrusted the Herculean task. Lanfrey's view that the whole scheme was merely a method of sending troublesome republicans to die in exile, borders on the absurd. Republican soldiers were chosen because they were the veterans. As to the voluminous correspondence of Napoleon not included in the great collection, all of which I have examined, there is a just proportion of attention to colonial affairs both on the military and administrative side. Even in the hour of his deep humiliation and when the edifice of his empire was crumbling he had agents working and suffering for the colonial expansion of France. We must, therefore, utterly reject the notion that Napoleon lightly abandoned the idea of French hegemony in Latin America. In fact this policy was considered by Napoleon III. to be a clause in his uncle's political will. When the time came the great Napoleon made his choice, to be sure, with no sign of the agony which he must have felt in abandoning his American schemes. But this was characteristic. He could endure no exhibition of failure, no "spot on his uniform," as he called it. His

demeanor in the sale of Louisiana to the United States was so jaunty that he deceived even the elect. But the plan itself had been as far-sighted as any he had ever formed. He told his most intimate counsellor, Marbois, that he desired by the sale to thwart Great Britain and keep her from seizing it;<sup>1</sup> his offer was the first in that series of shrewd and crafty measures whereby the War of 1812 was brought on, and the embryonic nationality of the United States was started on its evolution into a first-class power. To Napoleon it seemed clear that American development would produce a maritime rival of Great Britain, which might in time destroy her ascendancy on the seas, or at least counterbalance it in a measure and open the channels of trade to the continental nations, which possessed less genius for sea-faring than the two Anglo-Saxon rivals. That he ceded not a part but the whole territory and broke his promise to Spain is a fact which has been interpreted as proving both a desire to spite the power which had so often thwarted him, and a determination to efface the memory of his colonial failure from the minds of men. The latter proposition may have some truth in it, but the former lacks all proof. He intended, as his whole career proved, and in particular, as the events of 1808 at Bayonne conclusively demonstrate, eventually to assume the supremacy over all Spain's possessions. It was not likely that he would spite himself and trouble his whole future policy by any gratuitous or unnecessary diminution of Spanish lands in America; yet he sold us, not merely New Orleans and Louisiana, but also a claim to the Spanish lands of West Florida and Texas. This he unquestionably did to prevent Great Britain from securing control of the Gulf, a weapon which he preferred to see in our hands during the coming struggle, even at the price of our retaining it permanently. More than any other policy this would hamper England and set free all his own resources for European warfare.

The next and last of Napoleon's colonial enterprises was also connected with Spanish America. No sooner had he rid himself as he supposed of the Spanish Bourbons at Bayonne, in 1808, than he turned his attention to the question of how he might best secure for the house of Napoleon ascendancy in the Spanish colonies of America. The flight of the royal family of Portugal to Brazil, though apparently a triumph for French diplomacy, was probably the gravest of those disasters which in the end overwhelmed the Napoleonic Continental System. Their establishment at Rio Janeiro opened markets to Great Britain which relieved the glut of her store-houses, saved British manufacturers from bankruptcy, and at the danger-

<sup>1</sup> Livingston to Madison, May 12, 1803, *American State Papers, Foreign Relations*, II.



point restored the credit of the country to a certain extent. It looked as if the ruin of Portugal in Europe might work the ruin of France through America. The opportunity to save himself occurred to Napoleon by means of one of that interesting class of French gentlemen-adventurers who in foreign lands survived the decadence of their class at home.

The France of the sixteenth and seventeenth centuries teemed with children, and was in the enjoyment of a surplus population as turbulent, hungry and enterprising as any that ever came from the womb of Germany or England. When Colbert had established the French navy, he proceeded with magnificent enterprise to found colonies in one unbroken succession. Canada with Newfoundland, Louisiana, the Antilles and the islands of East Africa were attached to the French monarchy, while in 1688 the first settlement of Frenchmen in India inaugurated a splendid career for French adventurers. For some generations the French continued to furnish numerous and excellent colonists; this, too, in spite of the coalition of England with Holland, to prevent the union of the Spanish with the French crown. Even though the Peace of Utrecht deprived France of Newfoundland, Hudson's Bay and Nova Scotia, yet in the middle of the last century, while Great Britain held only the Atlantic seaboard of the temperate zone in North America, France had all the great river valleys of the continent, and in India she far outstripped Great Britain. Moreover it was Dupleix who made the modern British system in India possible. To him is due the idea of native Oriental troops, with European officers. It is estimated that the commercial marine of France during the earlier years of the reign of Louis XV. brought in two hundred and fifty million livres a year. This splendid inheritance the prodigal dissipated and the tale of French colonial decadence has been outlined in another connection. The bottom of the decline was reached when, by his code, Napoleon compelled the division of estates and thus made the "two-child family" characteristic of France, and when by his wars he united all Europe in the desire to despoil France of everything, including her colonies. In 1815 she retained but slender colonial strength and that little mainly through the adroitness of Talleyrand: some of the Antilles, Cayenne, Réunion, Pondicherry and Chandernagor.

The men who had earned their livelihoods in the conduct of French colonial affairs abroad found life intolerable at home, as their sphere of activity contracted more and more. According they took service wherever they could find it. Among these adventurers was a cadet of a noble Poitevin family, Jacques de Liniers, who was trained in what was then the most brilliant mil-

itary school in all Europe, the court of Ximenes, Grand Master of Malta. There he learned Spanish thoroughly; afterwards he served under O'Reilly in the Spanish expedition of 1774 against Algiers. Thereupon he entered the French Naval School, passed his examinations as ensign, fought on various vessels of the French fleet throughout the war of the American Revolution, and at the siege of Gibraltar. When the Treaty of Versailles was signed he again joined the Spanish fleet in a second unlucky expedition against Algiers and for his service was made a captain in the Spanish navy. In this service he crossed to Montevideo, and spent about twelve busy but uneventful years as a colonial agent under the Spanish government. Great Britain was much concerned to open all South American ports to her commerce as an offset to the almost entire loss of her continental trade in Europe. The Spanish viceroyalty of the Rio de la Plata included the vast districts now designated by the names of Bolivia, Paraguay, Uruguay and the Argentine. From 1796 to 1802 De Liniers managed to keep under control this extended and sparsely-settled land, known in England as the Plate Country. This he did by means of a flotilla of mosquito gunboats and cruisers, which scoured the sea-coast and rivers; for the next three years he was governor of the district known as Paraguay, and from 1805 to 1808 he was stationed at Buenos Ayres, as commander of the gunboats he had equipped to repel the British.

This task grew daily more difficult after the rupture of the peace of Amiens. Finally, on June 10, 1806, a powerful British fleet under Popham and Beresford, six frigates, three corvettes and five transports with 1400 picked troops, appeared unexpectedly in the Plate River. The wretched colony was then under a faithful but incapable viceroy, the Marquis of Sobremonte. He and De Liniers gathered a handful of the few regulars scattered up and down through the country into the nucleus of an army and called out for a supplementary force, such militia as could be assembled. Owing mainly to the daring and dash of Beresford, and to the hopes of commercial advantage which Admiral Popham held out, in formally granting to the people of the viceroyalty free trade with Great Britain, the invaders at first met with considerable success; but De Liniers was indefatigable in his agitations far and near throughout the more settled portions of the Argentine district, and eventually recalled the population almost *en masse* to their Spanish allegiance. With a little band of recruits not more numerous than the veteran soldiers of his foe, he began his attacks on the British and with each successful movement in advance attracted more and more vol-

unteers, until finally, on August 12, he overwhelmed and captured Beresford's little army at Buenos Ayres, with its ammunition, arms and standards. During these exciting events Sobremonte was absent in the interior. The messengers charged with the news of De Liniers' exploit found the viceroy marching towards the coast, at the head of three thousand men, a force which he had raised during his absence; they had to communicate unwelcome tidings, the voice of public opinion demanded that De Liniers should thereafter be first in military command, and to this a grudging assent was extorted from the tardy viceroy. The government at Madrid in due course confirmed the popular choice.

To Napoleon De Liniers wrote somewhat later that the recapture of Buenos Ayres had been nothing, the difficulty was to keep it; and to this task the commander bent all his energies, fortifying, collecting cannon, guns and ammunition, raising new troops and consolidating the loyalty, which, turning for the hour against the feebleness of Spain, considered the Frenchman as the saviour not only of Argentina but of the neighboring lands in South America. His exertions were terrible and the sacrifices of the people unsurpassed in the history of popular uprising. The colony, with no help from Spain and no regard for the policy of the mother country, devised and established its own safeguards. It felt itself virtually independent of the wretched court administration, nominally guided by the unhappy King Charles IV. but really left to the incapacity of Godoy, the queen's favorite, who wore the titles of Prime Minister and Prince of the Peace.

The independent feeling of the Argentine was further strengthened by the repulse of the second British expedition. In successive installments nearly 12,000 soldiers had been sent in from England and the Cape to overwhelm the South Americans. Whitelocke, a court favorite of no ability, was in military command. The efforts of the newcomers to land were successful, and in the British fleet which was to co-operate were no fewer than twenty ships. The combined army and navy presented a formidable aspect on June 28, 1807, when ready for offensive operations. It seems likely that De Liniers had by this time been approached by Napoleon, either through secret agents or by letter; in the previous year he had written to the Emperor, and now he made two reports of his resistance, one to Godoy, one to Napoleon; that to King Charles IV. was signed by the *cabildo* or elective council of Buenos Ayres, an institution which was a survival of the medieval liberties of Castile. From these three documents it appears that De Liniers did not entirely rise to the height of his task. In the open, around Buenos Ayres, he dis-

played over-confidence and met with repulse, but when the city was actually menaced on July 4, 1807, by a force of 8500 British, the inhabitants rose in a body at his call. The effort of Whitelocke to storm Buenos Ayres on the fifth was ill-judged. There was a magnificent display of courage on the part of his men and in some districts of the town his subordinates were partially successful, but the infuriated people fought like tigers from windows and barricades, the loss of life was frightful and De Liniers, whose valor had made him more conspicuous than ever, proposed towards evening, in the name of humanity, a cessation of hostilities, promising that he would restore to the British all the prisoners captured, both that day and the year before, on condition that the entire Plate country including Montevideo should be freed. Whitelocke tried by protracting the negotiation to gain time for his reserve to come in, but his scheme was too patent. The fighting was renewed and the British gained a slight advantage, but with such loss as to prove their case desperate, and on the seventh a treaty was signed on De Liniers' terms. For this signal victory De Liniers was appointed viceroy. For the failure of their enterprise Whitelocke was permanently disgraced and Popham received a formal reprimand.

The new viceroy soon found himself in an almost impossible position. His people had tasted the sweets of independent action and the delights of democracy. From contact with the English they had learned to discourse of commercial liberty. The *cabildo*, composed of men of pure Spanish race, was the very head and front of the popular movement, which, though recognizing De Liniers' services, was indisposed to respect the royal authority which he now represented. In particular, Godoy was even more despised and hated in South America than in Spain, if that were possible. To hold the wise balance of his power De Liniers therefore would have required not merely the dash and devotion of the medieval soldier, which he was, but the tact of a modern diplomat, which he was not. But few vessels from Spanish ports escaped the vigilance of the British cruisers, so that communications were most irregular. It was May 1808 when De Liniers received his formal appointment; two months later came the news of the revolution of Aranjuez, which deposed the reigning King of Spain. Supposing that Charles IV.'s abdication was final, De Liniers felt safe in preparing to proclaim his son, the popular Ferdinand, as seventh of his name among the kings of Spain. This measure at least, he felt certain, would meet with something like general approval. During the years of his service as coast guardian at Montevideo and Buenos Ayres, De Liniers had formed a wide acquaintance with men of all nations.

Among his fellow-countrymen he had known two in particular, Jurien, afterwards the distinguished admiral, and De Sassenay, a nobleman who, having lost his lands and having taken refuge in the United States, had made two voyages to South America as supercargo. During the course of the first De Sassenay spent six months in Buenos Ayres and the second venture proving troublesome he was compelled to reside in that city nearly two years, from September 1801 to May 1803. During both these periods he was on terms of intimacy with De Liniers. Finally in 1804 he succeeded after infinite pains and annoyance in securing amnesty from Bonaparte. Returning to his native land he bought in such of his paternal estates as were in the market and settled down, as he supposed, to the life of a country gentleman. His life in that capacity proved in many respects unsuccessful and vexatious, and he contemplated returning to America, actually making the effort to negotiate an exchange of his French estates for a Virginia domain. At last in 1806 he abandoned all idea of a second exile and began a course of improvements and investments which he hoped would restore his fortunes.

De Sassenay's career as an émigré was of course well known to the French authorities. No sooner had Napoleon secured the abdication of the Spanish Bourbons, at Bayonne, than he sent an order post-haste to Chalons-sur-Saône, where Sassenay lived, to summon the astonished and, as he believed himself to be, obscure personage to the imperial presence. Bayonne was reached on May 29, 1808, and amazement gave way to stupor when the Emperor in an interview lasting but a few minutes, with curt and meaning phrase, informed his visitor that in twenty-four hours he must be on the way to South America. The thousands of miles of stormy sea, rendered unsafe by remorseless English cruisers, were to be traversed in a little brig of a few hundred tons, the *Consolateur*. She actually put to sea next day, May 30, and on board was the Marquis of Sassenay, with full instructions from Champagny, Minister of Foreign Affairs. The shock and despair of his wife and family when they received the news by imperial messenger can be imagined. Perhaps no incident in Napoleon's whole career better revealed a certain side of his character. Twice, as has been said, in 1806 and 1807, he had received letters from De Liniers, giving details of the French adventurer's life and mission. The Spaniards in America were as complete a mystery and puzzle to Napoleon as were their compatriots in Spain. With his eye fixed on the dazzling enterprise of securing at a stroke that one of the twenty Spanish viceroyalties in the new world, which by climate, soil and population was far and

away the most desirable, he seemed to have forgotten the measure of a man, gauging others by his own powers. De Liniers, dazzled as he was known to be by the Napoleonic effulgence, was to bring his viceroyalty and lay it at the feet of imperial France at the first notification; who so fit to carry the message as a French royalist rallied to the Empire, and a crony of the viceroy at that? Thought was scarcely swifter than the deed. In such an enterprise no consideration of commonplace human interest could weigh for a moment. No wonder men quailed before such a mind and will, yielding as they must without discussion, but hissing "tyrant" between their shut teeth and closed lips. For seventy days the *Consolateur* tossed on the broad Atlantic before reaching her haven. She was not molested by the much-feared cruisers, but she was sadly driven about by storms. Sassenay had abundant time to ponder his instructions. He was to disembark according to his own judgment wherever the vessel would be safe from capture. He was then to deliver his dispatches to De Liniers, explaining, as if he had been an eye-witness, what had been seen and heard at Bayonne, how delighted the Spanish people were with the prospect of regeneration under Joseph Bonaparte, "what glory environs France and what influence the powerful genius which governs her exerts over Europe for which he lays down the law." He was carefully to observe the effects produced on the authorities by the news of "the happy change wrought in Spain;" to gather all the information possible about Spanish America, including Peru and Chili, if that might be, and to bring back all the knowledge as quickly as possible. Sassenay landed at Maldonado and pressed on to Montevideo, where he found Elio, the governor, on the point of administering to the people the oath of fidelity to Ferdinand VII. To the envoy's suggestion that the governor await the effect of the news from Bayonne at Buenos Ayres, Elio gave a dry refusal. Hurrying breathlessly on, Sassenay reached the capital on August 13, expecting to be received by his old comrade with open arms. Nothing of the sort happened. The envoy of Napoleon was treated with cold formality, left to cool his heels in ante-chambers and finally granted an audience by the viceroy, not alone, but surrounded by his jealous coadjutors. To this assembly, Sassenay read the acts by which Charles IV., Ferdinand VII. and the infantas renounced the Spanish throne, and the dispatches of Champagny in which, with mingled threat and cajolery, Joseph's recognition as king was recommended. To these were appended the formal command of the Spanish ministers and of the Council of Castile, that the oath of allegiance to Ferdinand, previously enjoined by them, should not be administered.

This was the signal for an explosion of anger from the colonial authorities. Sassenay was ordered to leave the country that very night. Liniers succeeded at a later hour in securing a private interview with the envoy: vague hopes of ultimate success for Napoleon's plan were held out, but for the moment, it was explained, nothing could be done. Sassenay must return at all hazards. Accordingly he started at once and reached Montevideo safely. Elio, however, prevented his guest from embarking and held him a virtual prisoner. This was the beginning of disaster for De Liniers. The people of Buenos Ayres, and in fact of the whole viceroyalty, felt the arrival of an envoy from Napoleon to be an interference with their independent action. They were saturated with the influences already recounted, due largely to the recent success of the United States in securing independence, in part to their own efforts in driving away the British invaders. At all hazards they must conduct their own affairs without foreign meddling.

The first proclamation of De Liniers, issued on August 15, set forth that Napoleon's conduct had the hearty support of Spain and begged the colonists to repose confidence in the constituted authority. It was ill received. To recover himself, De Liniers advanced the ceremony of administering the oath of allegiance to Ferdinand by several days and began to abuse Napoleon. This about-face had no effect; the viceroy was now suspected both as being a Frenchman and as sympathizing with the creole party, which desired to rule the natives, to the exclusion of the Spaniards. A revolution broke out in Montevideo, spread to Buenos Ayres, and though held in check by De Liniers for some time, was finally successful, because of events which he could not control. Soon after the national uprising of Spain, the Junta of Cadiz had sent out a new viceroy to replace De Liniers, a certain Cisneros, who had orders to favor the Spanish party, to the exclusion of the native-born, and to send De Liniers back to Spain. Thereupon De Liniers resigned. The new viceroy dared exercise no violence against a man so popular with great numbers in the province as the French Liberator continued to be, and permitted his predecessor to retire as a free man to Cordova in the interior.

The fall of De Liniers was really due to Napoleon's overhaste to seize a great colonial empire; further it was the signal for the revolt which eventually severed Spanish South America from its old allegiance. On May 25, 1810, the incompetent viceroy of the Junta was overthrown by a revolution of those who despised Spain and detested the wretched rule which represented her authority. De Liniers put himself at the head of the royalist party, which he



believed stood for good order, but was betrayed, taken prisoner, and executed, as an enemy of liberty.

Sassenay escaped with his life. He suffered a cruel imprisonment in Montevideo until 1809, when he was sent to Cadiz, and all trace of him was lost to his friends. By the most persistent efforts Mme. de Sassenay secured the ear of Napoleon, who would gladly have forgotten his unlucky agent, obtained the material assistance of a money grant, and sailed for London, where she so ingratiated herself with the great ladies of the court that the British government instituted inquiries about her husband. Not only were the whereabouts of the unhappy man discovered, but at the instance of the British minister he was released and restored to his family.

Thus ended the last of Napoleon's dreams of colonial empire. They were splendid visions one and all, but even heroic minds cannot be ubiquitous, and his was thenceforth fully occupied in the measures essential for his long resistance to the superior strength which overwhelmed him in the end. The recital of these plans in chronological order is not, however, destitute of historical value. On the contrary it proves that while Napoleon actually did throw the French colonial system into bankruptcy, yet it was not his purpose so to do: had he been able to make good his European plans he would have stopped at nothing to plant French empire both in the Far East and on the mainland of both Americas.

W. M. SLOANE.

## HOLMES VS. WALTON: THE NEW JERSEY PRECEDENT:<sup>1</sup>

### A CHAPTER IN THE HISTORY OF JUDICIAL POWER AND UNCONSTITUTIONAL LEGISLATION

AFTER the battle of Monmouth in June, 1778, the British commander made his way to Sandy Hook and thence to New York, where he established permanent headquarters, retaining, during the rest of the war, possession of Staten Island adjacent to New Jersey. On the 8th of October, 1778, the New Jersey legislature passed a law to prevent the increasing evil of intercourse with the enemy. This act made it "lawful for any person or persons whomsoever to seize and secure provisions, goods, wares and merchandize attempted to be carried or conveyed into or brought from within the lines or encampments or any place in the possession of the subjects or troops of the King of Great Britain." These goods and the persons in whose possession they might be found were to be taken before a justice of the peace of the county. The law required the justice, on

<sup>1</sup>The following pages include portions of a paper prepared about fifteen years ago and read successively before a private literary club, "The Fortnightly," of Newark, N. J., in 1883, before the Rutgers College chapter of the Phi Beta Kappa in 1884, and before the American Historical Association, April 28, 1886. The paper was never printed in full though an abstract of it appears in the *Papers* of the Historical Association, Vol. II., No. 1, page 45.

The original paper was a study of the growth of the power of the judiciary to pronounce upon the constitutionality of laws, but the propriety of publishing any other part of it than the one here presented has been entirely obviated by the careful treatment of the subject in late years by several authors, and especially in the exhaustive work of the late Brinton Coxe of Philadelphia, *Judicial Power and Unconstitutional Legislation*.

In that work, however, on page 222, the author, accepting the conjecture of Mr. William M. Meigs, is inclined to assign the New Jersey case of *Holmes vs. Walton* to a date no earlier than 1786, whereas the constitutional question was raised before the court as early as November, 1779, and decided on the 7th of September, 1780, the case thus taking precedence in time of the other cases of like sort in which the principle was clearly acted upon.

Furthermore, Mr. Meigs, and Mr. Coxe following him, being without materials for an adequate knowledge of the case pass it over with slight consideration of its possible influence in serving to widen the scope of judicial power in our federal system. This meagre treatment in a work speaking with all but final authority on its subject-matter, as well as numerous letters of inquiry concerning the case, which the present writer has received, lead him to give its history, in the hope that the following pages will call general attention to this early action of New Jersey and secure recognition of its value in determining forces which in the Constitution of the United States "establish justice."

the demand of either party, to grant a jury according to the law of February 11, 1775, which provided for a jury of six men, and further stipulated, "that in every cause where a jury of six men give a verdict as aforesaid there shall be no appeal allowed." The law of October, 1778, further provided that if the plaintiff should win the suit the proceeds from the sale of the goods were to be divided among the persons seizing them.<sup>1</sup>

By virtue of this law, Elisha Walton, a major of militia, seized a quantity of goods in the possession of John Holmes and Solomon Ketcham, whom he charged with having brought them from within the lines of the enemy. The goods were of considerable value, there being between seven hundred and eight hundred yards of silk, between four hundred and five hundred yards of silk gauze, "mode," and many other articles, "such a quantity and such a quality as could not be purchased in all the stores of New Jersey."<sup>2</sup> The case was tried before John Anderson, a justice of the peace of Monmouth County, on the 24th of May, 1779, with a jury of six men, who brought in a verdict in favor of Walton and judgment was given accordingly.<sup>3</sup>

While the suit was pending, the defendants had already applied to the Supreme Court then in session at Burlington, and the Chief Justice, Robert Morris, issued a writ of certiorari to Anderson, returnable at the next session of the Supreme Court to be held at Hillsborough in Somerset County, the first Tuesday of September. Meantime Morris resigned his seat on the bench and on the 10th of June David Brearly was appointed Chief Justice. The court opened at Hillsborough on the 7th of September, and on the 9th it was ordered that the case of *Holmes vs. Walton* be argued on the Thursday of the next term. Accordingly on Thursday, November 11, 1779, the case was argued before the Supreme Court sitting at Trenton.<sup>4</sup> In offering his argument for the plaintiffs in certiorari, William Willcocks, their attorney, filed his reasons why the judgment of Justice Anderson should be reversed. The seventh reason reads as follows: "Because the jury sworn to try the above cause and on whose verdict judgment was entered, consisted of six men

<sup>1</sup> Pamphlet *Laws*, 1778. See also Wilson's *Laws of New Jersey*, Appendix V.

<sup>2</sup> Papers on file in the office of the Supreme Court of New Jersey, Envelope 44928. In the later proceedings in the case, in April, 1781, the amount of the claim of Walton on behalf of himself and the state was, in an order of the court, stated to be "twenty-nine thousand, four hundred and twenty-eight pounds, thirteen shillings and fourpence half penny" (original files Supreme Court). If we reckon the pound "proclamation money" at about \$2.43, the claim must have exceeded \$70,000, probably in the depreciated currency of the day.

<sup>3</sup> Minutes of Supreme Court, original in clerk's office in Trenton.

<sup>4</sup> *Ibid.*

only, when by the Laws of the Land it should have consisted of twelve men." The same attorney, at the same trial, also filed separately "additional reasons," which read as follows :

"For that the said justice had not jurisdiction of the said cause or plaint but the same was *coram non judice*.

"For that the jury who tryed the said plaint before the said justice consisted of six men only contrary to law.

"For that the jury who tried the said plaint before the said justice consisted of six men only contrary to the constitution of New Jersey.

"For that the proceedings and trial in the said plaint in the court below, and the judgment thereon given were had and given contrary to the constitution, practices and laws of the land." <sup>1</sup>

At the close of the argument, the record shows that "on the reasons filed a *curia advisare vult* is entered." Under date of the following Monday, November 15, the minutes state that "the court will further advise on the arguments had on this cause until the next term." In the succeeding term, April, 1780, the minute states, "The court not being ready to give judgment on the reasons filed and argued in this cause—Ordered, that a *curia advisare vult* until next term be entered; on motion of Mr. Elias Boudinot." In the minutes of the May term there is no record of the case. At the succeeding term, however, on Thursday, September 7, 1780, ten months after the case had been argued, judgment was given.<sup>2</sup>

Before investigating the nature of the decision given and the probable cause of the delay in rendering it, it may be proper to inquire with what color of right the counsel could urge his plea against the constitutional validity of the statute of October 8, 1778, which allowed a six-man jury. Section XXII. of the constitution of New Jersey, adopted July 2, 1776, reads as follows: "That the common law of England, as well as so much of the statute law as have been heretofore practiced in this colony shall still remain in force, until they shall be altered by a future law of the legislature; such parts only excepted as are repugnant to the rights and privileges contained in this Charter; and that the inestimable right of trial by jury shall remain confirmed as a part of the law of this colony, without repeal forever." The final section of the same constitution prescribes as a part of the oath to be taken by each member of the legislature, that he will not assent to any law, vote, or proceeding to repeal or annul "that part of the twenty-second section respecting the trial by jury."

The assumption that the phrase "trial by jury" as thus used

<sup>1</sup> Files Supreme Court, Envelope 18354.

<sup>2</sup> Minutes Supreme Court.

meant exactly twelve jurors must find its warrant farther back. In addition to immemorial custom, the "common law" of England, which may have been held to have had validity in this case, two documents may have been appealed to as fundamentally relevant and as constituting in New Jersey a part of the "law of the land:" the first, Chapter XXII. of the West Jersey "Concessions and Agreements" of 1676, "Not to be altered by the legislative authority," which begins thus, "That the trial of all causes, civil and criminal, shall be heard and decided by the verdict or judgment of twelve honest men of the neighborhood." The second was a formal declaration of the "Rights and Privileges" passed by the House of Representatives in East Jersey on March 13, 1699, and accepted by the governor and council, which asserted that "all trials shall be by the verdict of twelve men."<sup>1</sup> Other acts of the assembly in each of the two Jersey provinces before their union in 1702, show that the right to a trial before a jury of twelve men was regarded as fundamental; notably the act of November, 1681, in West Jersey, and that of March, 1683, in East Jersey.<sup>2</sup>

The foregoing details have been recited as inferentially the basis of the argument of the attorney for the plaintiffs and of the decision of the court rendered on September 7, 1780. On that day a full bench was present, David Brearly, the Chief Justice, with Isaac Smith and John Cleves Symmes, his associates.<sup>3</sup> The minute of the court reads thus: "John Holmes and Solomon Ketcham *vs.* Elisha Walton, *sur certiorari* to John Anderson, Esq. . . . This cause having been argued several terms past and the court having taken time to consider the same, and being now ready to deliver their opinion gave the same *seriatim* for the plaintiffs in *certiorari*. And on motion of Boudinot for the plaintiffs, judgment is ordered for the plaintiffs, and that the judgment of the justice in the court below be reversed and the said plaintiffs be restored to all things, etc."<sup>4</sup>

Persistent search has failed to discover the opinion of Chief Justice Brearly delivered in this case. It was probably an oral opinion and never written. Happily, however, there exists incontestable proof as to its import. On the afternoon of the 8th of December, 1780, in the House of Assembly, "a petition from sixty inhabitants of the county of Monmouth was presented and read, complaining that the justices of the Supreme Court have set aside some of the laws as unconstitutional, and made void the proceedings of the magistrates, though strictly agreeable to the said laws, to the en-

<sup>1</sup> Leaming and Spicer, *Grants and Concessions*, pp. 372, 398.

<sup>2</sup> *Ibid.*, pp. 235, 428.

<sup>3</sup> For sketches of these judges see Elmer's *Reminiscences*, pp. 271 ff.

<sup>4</sup> Minutes of Supreme Court, p. 343.

couragement of the disaffected and great loss to the loyal citizens of the state and praying redress."<sup>1</sup>

A second unquestionable proof that the decision of Brearly nullified the laws allowing a jury of six men appears in the subsequent proceedings of the Holmes-Walton case, which dragged along for years. In July, 1781, in the course of the new trial before the justice, ordered by the Supreme Court, Willcocks, counsel for Holmes, argues thus: "That the present cause being commenced and undetermined at the time of the late law authorizing a trial by twelve men [i. e., an act of December 22, 1780, to be referred to later] it is not comprehended by the late law, it not having in it any retrospective clause; and as a trial by six men is unconstitutional, there is no law existing by which this cause could be tried."<sup>2</sup>

A message from Governor Livingston to the assembly on the 7th of June, 1782, is not without significance in the history of the recognition of this judicial function at this time and presumably in connection with this case. After stating that the chancellor (in that day, the governor) must seal a writ of replevin on the application of any citizen, Livingston continues, "But if an act of legislation can constitutionally be made, declaring that no person in whose possession any goods, wares or merchandise shall be seized and captured as effects illegally imported from the enemy, shall be entitled to such a writ . . . if such an act, I say, should be passed it would probably encourage such seizures and give additional check to that most pernicious and detestable trade, the total suppression of which is one of the most important objects that can engage the attention of the legislature."<sup>3</sup>

From the contemporary evidence cited above no doubt can remain that Brearly met the question of constitutionality squarely and on September 7, 1780, announced the principle of judicial guardianship of the organic law against attempted or inadvertent encroachment by the ordinary law.

To form an adequate estimate of the historical value of this decision it is essential to ascertain how the principle thus enforced was received by the people of the state. The protest against the judgment by citizens of Monmouth County has already been cited. Other petitions poured in upon the assembly from the frontier counties of Monmouth, Middlesex and Essex, which Livingston in 1778 reported to Washington as "almost worn out in defending

<sup>1</sup> *Votes and Proceedings of House of Assembly*, p. 52; cf. *Votes and Proceedings for 1780*, pp. 36, 39, 54 *et passim*.

<sup>2</sup> Supreme Court Files, Envelope 44928.

<sup>3</sup> *Votes and Proceedings*, House of Assembly, June 7, 1782.

their own borders." One of these petitions read in the assembly on November 21, 1780, prayed that the determination of causes arising under these laws, generally known as the "seizure laws," before a justice of the peace agreeably to the verdict of a jury may be final, and that such causes may not be removable to the Supreme Court by a certiorari.<sup>1</sup>

The evils of the illicit trade with the British during the last five years of the war can hardly be exaggerated. The practice was tantamount to treason, giving great aid and comfort to the enemy. Year by year and twice a year, laws, inspired by strong patriotic impulses and drawn with great care, were enacted only to be evaded, and the illicit trade went on. Small wonder then if the temptation came to the long-suffering patriots to disregard some of the ordinary safeguards of personal rights if thereby the men who were helping to prolong the war could be brought to justice! The plea of necessity must have weighed strongly with David Brearly, with Smith and Symmes, all of whom were staunch patriots, as each had proved by service in the field. The law of October 8, 1778, had passed both houses without a dissenting vote, and if ever extraordinary war-powers might be construed into the constitution this was the occasion for their recognition. As we have seen, two terms of the court intervened before the decision in the case of *Holmes vs. Walton* was rendered. From the judicial records the reason for the long delay is not apparent, but the proceedings in the legislature in the interval throw some light on the matter. On the very next day after the argument before the court, on Friday, November 12, 1779, Deare, the Middlesex member of the legislative council, obtained leave to bring in a bill amending the "seizure acts." This bill in its final form passed the council on the 6th of December. We do not know what the provisions of the bill were, but we do know that the House of Assembly attempted to amend it by a clause confirming the requirement of the six-man jury in past and pending cases. This amendment the council refused to accept. Evidently then the council wished to come to the relief of the court and to the defence of constitutional rights. The house at first refused to appoint a committee of conference but yielded and made the appointment on the 23d of December. The committee of conference made its report which was adopted by the assembly on the 24th and by the council on the 25th.<sup>2</sup> The act which thus passed on Christmas day, 1779, provides in its preamble and first section as follows:

<sup>1</sup> *Votes and Proceedings*, p. 36.

<sup>2</sup> *Minutes of Assembly*, pp. 47, 62, 86, 87, 92, 93, 96, 98, 101. *Journal of Council*, *passim*.



"and whereas causes of considerable value may by virtue of this or the before recited acts [acts of October 8 and December 22, 1778] be prosecuted before a justice of the peace wherein it may be prudent to have the judgment of a greater number than six jurors; Be it enacted, &c., that in all causes hereafter to be prosecuted before any justice of the peace, by virtue of this or the said recited acts, it shall and may be lawful for either of the parties in such suit to demand a jury of twelve men, which jury such justice is hereby empowered to grant and to issue a venire accordingly."<sup>1</sup> The act appears to have been in the nature of a compromise, for while its provisions do not maintain the validity of the six-man jury in past and pending cases, on the other hand for the future, the justice of the lower court was not *required* but only *empowered* to grant a jury of twelve men.<sup>2</sup> The concession in the law by which an option was given to the magistrate to grant or deny a jury of twelve men, rather than six, did not afford a perfect constitutional security. If then the court was awaiting action on the seizure laws by the legislature which, by devising a remedy for the alleged infraction of constitutional rights in the past and for their security in the future, might possibly forestall the necessity of a decision annulling the law of 1778, the delay was in vain. But the court probably reserved its decision through several sessions from a genuine wish to consider the case in all its bearings—"curia advisare vult." This more particularly appears in a letter from the justices of the Supreme Court to the Legislature dated May 13, and from a law passed on June 17, 1780, in consequence of the letter and following its suggestions. This law reads as follows:

"Whereas causes to a very considerable value are now frequently brought to trial before, and determined by, a single justice of the peace in a summary manner by virtue of the act entitled 'An act to prevent the subjects, etc.,' and the supplementary acts thereto; and whereas some of the justices before whom such trials are had commit errors in the determination of them in matters of form, whereby the judgment is reversed on certiorari and the cause lost without any default of the party although the merits are in his favor, for remedy whereof

"Be it Enacted, etc., That in all such causes where the judgment of the justice shall be reversed in the supreme court on certiorari for informality of proceedings, or *any other cause* not essential to the merits of the suits, such judgment of reversal shall only affect the parties with respect to the costs of the suit; and it shall and may be lawful for the supreme court on such reversal to award a new trial on the merits in the court be-

<sup>1</sup> *Original Laws of New Jersey*, p. 49. *Wilson's Laws*, Appendix.

<sup>2</sup> That this distinction in such use of these terms then obtained seems clear from the preamble and from the fact that "required" is used in the law of 1778 and in the law passed after the decision of the court in 1780.

low where the cause was originally determined ; any law, usage or custom to the contrary notwithstanding.”<sup>1</sup>

This letter and the law adopting its recommendations lead to the conclusion that the court was working its way to the just and discriminating use of the highest judicial function, to the principle, namely, that a law is no law only so far as it is in exact conflict with the constitution ; that all its other provisions if possible must stand. Thus a valuable service was rendered ; the scope of the application of this judicial power was thereby in anticipation defined. When they were ready Brearly and his associates did not flinch. Being practically without precedent to guide them, at the very beginning of the next session of the court, the judges severally gave their opinion and from the 7th of September, 1780, this function of the judiciary, this principle of judicial power over unconstitutional legislation, has held sway in New Jersey. The brave and honorable act met with protests, as we have seen, but the body of the people acquiesced, and a legislature, chosen by the people the next month, with the protests before it, ratified the action of the judiciary after prolonged consideration, by passing a law, which in its 13th section *requires* the justice on the demand of either party in such suits to grant a jury of twelve men, and ordered the act to be printed in the *Gazette* newspaper and extra copies to be printed.<sup>2</sup>

The full significance within New Jersey of the decree of the court and the action of the legislature is acknowledged in the following words of Chief Justice Kirkpatrick in 1804, in his opinion in the case of *State vs. Parkhurst* : “ This question ” (viz. whether the court has power to control the operation of an act of the legislature upon the principle of its being contrary to the constitution) “ was brought forward in the case of *Holmes vs. Walton*, arising on what was then called the seizure laws. There it had been enacted that the trial should be by a jury of six men ; and it was objected that this was not a constitutional jury ; and so it was held ; and the act upon solemn argument was adjudged to be unconstitutional and in that case inoperative. And upon this decision the act, or at least that part of it which relates to the six-man jury, was repealed and a constitutional jury of twelve men substituted in its place. This then is not only a judicial decision but a decision recognized and acquiesced in by the legislative body of the State.”<sup>3</sup>

<sup>1</sup>For the letter of the justices of the Supreme Court to the speaker see *Votes and Proceedings*, General Assembly, Saturday, May 13, 1780. For the Act of June 17, 1780, see *Session Laws*, p. 121, Chapter LIII.

<sup>2</sup>Act of December 22, 1780. For the series of acts on this subject see the Appendix of Wilson's *Laws of New Jersey*.

<sup>3</sup>4 Halsted, 444.

Was the case of *Holmes vs. Walton* of value beyond the borders of New Jersey? It made a deep impression in one important quarter at least. In 1785, Gouverneur Morris sent to the Pennsylvania legislature an address, whose object was to dissuade that body from passing a law to repeal the charter of the National Bank. In the course of that address he says: "A law was once passed in New Jersey, which the judges pronounced unconstitutional, and therefore void. Surely no good citizen can wish to see this point decided in the tribunals of Pennsylvania. Such power in judges is dangerous; but unless it somewhere exists, the time employed in framing a bill of rights and form of government was merely thrown away."<sup>1</sup>

The late Brinton Coxe, in his recently published work on *Judicial Power and Unconstitutional Legislation*, has argued with exhaustive force that the framers of the Constitution intended by the language used in Art. VI., Clause 2, and Art. III., Section 2, an *express* grant to the judiciary to pronounce void unconstitutional legislation. Whether we hold as Hamilton does in the *Federalist* that this judicial power is not expressly but beyond question impliedly granted, and as Marshall does in *Marbury vs. Madison*, when he derives it solely by inference and implication, or with Coxe that it is *expressly* granted though not *defined*, it is certain that the framers of the Constitution intended to lodge this power in that instrument, and this intention, the records clearly show, became fixed only during the progress of the Federal Convention. The cases of the application of this principle in the states, previous to 1787, had not led to the proposal of its embodiment in the "Virginia plan" of reforming the Union. Madison, that careful student of government, had chosen not to provide in that plan "this security for the justice of a state against its power." Hamilton in the debates in the Convention and in his "plan" does not contend for it. It is not brought forward by that learned civilian, Wilson. The principle of judicial invalidation of laws on the ground of unconstitutionality was no novelty to these men,<sup>2</sup> and the specific application of the principle had been brought to the attention of the whole Convention in one of its earliest sittings on the 4th of June, when Gerry made the oft-quoted remark, "In some of the states the judges had actually set aside laws as being against the constitution. This was done too with general approbation." To no one of all the cases "in some of

<sup>1</sup> Sparks's *Life of Gouverneur Morris*, III. 438.

<sup>2</sup> As evincing a general recognition of this principle in colonial days (1759), see Colden's Letter on Smith's *History of New York*, *New York Historical Society Collections* for 1869, page 204.

the states" which are known to us can the remark of Gerry apply with so much pertinency as to the New Jersey case of *Holmes vs. Walton*. In Rhode Island certainly "general approbation" did not follow the action of the judges in the case of *Trevett vs. Weeden*. A knowledge of the North Carolina case, *Bayard vs. Singleton*, had not yet arrived. The New Jersey case had been received, as we have seen, "with general approbation" by the people of the state as shown in the acquiescence of the legislature and the approbation of the governor. The very fact that this principle was not novel made its rejection by the prime movers of reform the more significant when finally accepted by them. The stone which the builders refused was to become the chief corner-stone in the edifice. All honor to those at whose instance it was proposed for the very foundation of the political structure! But we do not perfectly know through whose influence and action this was done. It is a question of probability.

The guiding spirits of the Convention were evidently reluctant to sanction the full application of this judicial function, at least in its use of testing state laws by the Constitution of the United States. The "Virginia plan," as all know, proposed to vest in the national legislature a legislative veto on state laws, and this was accepted by the Convention in committee of the whole. When, however, the vexing question of equal or proportionate representation as between the large and small states was adjusted, a resolution was adopted *nem. con.* on July 17, which made the constitutional acts and treaties of the United States the supreme law of the several states and bound the state judges so to hold notwithstanding state laws to the contrary. The words of this resolution are in all but the smallest particulars identical with a paragraph of the plan submitted by William Paterson on the 15th of June, the plan known then and ever since as the "New Jersey plan." This readiness of the members of the Convention to accept the resolution may, as Coxe properly enough infers, though without any definite evidence, have been stimulated by the news of the decision in North Carolina of the *Bayard vs. Singleton* case, the opinion of the court having been rendered in the latter part of May after the assembling of the Convention. It is to be noted, however, that just previous to the vote of the 17th of July accepting the resolution taken from the "Jersey plan," the delegation from North Carolina was the only one in the Convention to join the states of Virginia and Massachusetts in adhering to the scheme of the general negative on state laws.<sup>1</sup>

<sup>1</sup> Elliot, V. 322. An interesting phase of the gradual acceptance of the principle in the Convention appears in the attempt of Randolph, the sponsor for the Virginia Plan,

The words of the resolution as submitted by Paterson on the 15th of June are as follows: "Resolved, That all acts of the United States in Congress made by virtue and in pursuance of the powers hereby and by the articles of the confederation vested in them, and all treaties made and ratified under the authority of the United States shall be the supreme law of the respective states, so far forth as those acts or treaties shall relate to said states, or their citizens; and that the judiciary of the several states shall be bound thereby in their decisions, anything in the respective laws of the individual states to the contrary notwithstanding." The origin of this paragraph is referred by Coxe to the letter and resolution of Congress which had been sent as a circular to the several states in the preceding April. This letter requested each state to pass an act, the form of which was inclosed, which would repeal all laws repugnant to the treaty of peace and should direct the state courts to hold that treaty as part of the law of the land, anything in the laws of the state to the contrary notwithstanding.

There were in the Convention several men who were sitting in the Congress when this circular letter and the form of repeal were adopted. Madison helped to frame it; Gorham and King of Massachusetts were also there; but from no one of these men came the suggestion of the resolution of the "New Jersey plan" which was proposed on the 15th of June and adopted by the Convention without a dissenting voice upon the 17th of July. The probability that the paragraph in the "New Jersey plan" was suggested by the proposal of Congress of March and April does not detract from the value of the services of those who incorporated it into the "New Jersey plan." The Congressmen in the Convention had not given it the "cold respect of a passing glance." The honor of a formal recognition and proposal of the principle of judicial nullification of unconstitutional law in our federal system must be ascribed to the authors of the "Jersey plan."

Coxe in the concluding portion of his work on *Judicial Power* maintains that the recognition of this principle as finally expressed in the sixth section of the second article of the completed Constitution cleared the way for and influenced the adoption in the Convention of the power in its full application by federal as well as by state courts. The sixth section of the second article is essentially the first part of the sixth resolution of the "New Jersey plan," to mediate, on July 10, between the large and small states. On that day he proposed for the states a power of appeal to the national judiciary against alleged unconstitutional use of the national legislative veto of state laws, and for individuals an appeal against the operation of a state law to the same tribunal, which "may adjudge such law to be void if found contrary to the principles of equity and justice." Elliot, V. 580.

modified in form of expression but unaltered in principle and unchanged in its purpose to give a judicial determination in case of conflict of the inferior with the superior law. This becomes more clearly apparent if the clauses in the "New Jersey plan" be examined which contemplated only one United States court, to which an appeal was authorized from the state courts, which by that plan, therefore, were made a portion of the federal system. The fact that the "New Jersey plan" proposed only an enlargement of the powers of general government rather than a radical change does not affect the validity of the reasoning which proves that that plan, by its recognition of an adequate scope for the exercise of this judicial function, essayed to provide a sure means of defence for the Union, a guaranty for its permanence.

The "Virginia plan" was accepted by the Convention as a basis for its work, while the "New Jersey plan," as a whole, was rejected, but the chief propositions of the former were one by one cast aside. Such were the proportional representation in both houses of Congress, the right of that body to negative state laws and the manner of choosing the executive. On the other hand some of the proposals of the "New Jersey plan" were embodied in the Constitution as finally adopted. Evidence is not wanting that the authors of the "New Jersey plan" intended that their work, while it embodied some fundamental principles, should serve in part, and for the time being, merely as a breakwater to give a new direction to the tide in the Convention which was hurrying to an extreme of nationalism and which threatened to sweep away some of the surest safeguards of a real and no less complete nationality. The express recognition of the judicial right to say to the inconsiderate or passionate use of the popular power "thus far and no farther," was a distinct contribution to the science and art of government and a boon to mankind. The representatives of other "small" states shared with the New Jersey delegates in the making of the plan which, however, no doubt with perfect propriety, bears the name of that state.<sup>1</sup> It seems highly probable that those delegates who had already adopted the principle of judicial supremacy in their own state should propose it for the Union, though it must be admitted that this assumption is warranted only by conjecture.

David Brearly, who was at this time still Chief Justice of New Jersey, was the one man in the Convention who as a judge had pronounced a law unconstitutional. William Paterson had been the

<sup>1</sup> "Mr. Paterson observed to the Convention that it was the wish of several deputations, particularly that of New Jersey, to digest a plan purely federal." Elliot's *Debates*, V. 191.

secretary of the convention which framed the New Jersey constitution in 1776, and had been at the time of the suit of Holmes against Walton the attorney-general of the state. William Livingston, as governor, an office he still retained, had shared in the legislative acquiescence in the decision of the court and had, as we have seen, carefully considered the matter in suggesting reforms of the law which had been called in question by the court. Of all in the Convention it is safe to say that no man had been better trained than these three by the practical experience of a long labor over the question of the exercise of this highest judicial function. It was natural that these men should have urged its incorporation into the plan bearing the name of their state, which proposed a reform of "the federal constitution."<sup>1</sup>

Brearly was appointed by Washington, in the earliest months of his administration, in 1789, the first judge of the federal district court of New Jersey, but died next year at the early age of forty-five, too soon to have his due share in the larger national life. Livingston, having been annually chosen governor from 1776 to 1790, died in the latter year at an advanced age and was succeeded by Paterson who resigned the office of United States senator to accept that of governor of New Jersey. While in the Senate Paterson, as second to Ellsworth on the committee for organizing the judiciary, did his share in framing and supporting that memorable act establishing the federal judicial system. In 1793 Paterson was appointed by Washington a justice of the Supreme Court of the United States. He died in 1806, having been on the bench as associate respectively of Jay, Ellsworth and Marshall.

The following summary expresses in brief the reasons for the view of the present writer that the case of *Holmes vs. Walton* is of considerable importance in our constitutional history :

1. It seems to take precedence in point of time of all similar decisions. The question of constitutionality was raised before the Supreme Court of New Jersey on the 11th of November, 1779, and decided on the 7th of September, 1780.
2. The question of constitutionality was brought squarely before the court and was squarely decided. Other questions and other principles were apparently not involved in the decision.
3. The judgment was not given *ad captandum*. It was clearly announced after long and careful consideration and evidently with a complete and intelligent view of its immediate, and in some degree

<sup>1</sup>The other deputies from New Jersey, William Churchill Houston and Jonathan Dayton, did not share at this time in the labors of the Convention. The former had gone home suffering from an illness which proved to be mortal, and the latter had not yet arrived.



of its far-reaching importance in the state at least. The evidence warrants the conclusion that the New Jersey judges desired to fix the scope of this power. They would leave intact all those portions of the law which were not plainly void.

4. The decision does not recognize "necessity" or extra-constitutional legislative war-powers or the special plea of patriotic motives in construing the organic law.

5. It is a happy circumstance that the decision guards one of the oldest and most important of constitutional rights, that of trial by a real jury.

6. The decision, though meeting with some opposition, was ratified by a legislature fresh from the people.

7. It had its influence outside of New Jersey, being cited in the appeal by Gouverneur Morris to the Pennsylvania legislature five years after it was rendered. This appeal was published in Philadelphia, then the central city of the Union, where Congress had had its sessions and where the Federal Convention two years later was to assemble.<sup>1</sup>

8. It must have had a value in preparing for the special duty of formally proposing the principle, Brearly the chief-justice, who rendered the decision, Paterson the attorney-general, and Livingston the governor, the three Jerseymen who in the Federal Convention gave form and name and support to the "Jersey plan."

9. To the "New Jersey plan" is due the formal proposal and therefore, in large part, in due time and by due process, the final acceptance of this principle of judicial control in our legal system.

AUSTIN SCOTT.

<sup>1</sup>The decision in the case of *Trevett vs. Weeden*, in Rhode Island, 1786, and of *Bayard vs. Singleton*, in North Carolina, 1787, both involving more or less the constitutional right of a trial by jury, may have found some support in the New Jersey case of *Holmes vs. Walton*, of 1780. A desire to compliment the authors of those decisions by imputing to them the possession of information sufficient to include a knowledge of this case in a sister state would perhaps warrant such an assumption. Lack of historical proof alone prevents the present writer from showing this courtesy to their memory.

It may be proper, however, to add, by way of further conjecture, that Gen. James M. Varnum, who was the learned counsel in the case of *Trevett vs. Weeden*, and who afterwards published a pamphlet giving the history of the case, was a member of the Congress of 1780 and attended the sessions then held in Philadelphia. The case of *Holmes vs. Walton* which had just been decided and which was stirring the interest of the people of New Jersey could scarcely have failed to attract the attention of Varnum. Furthermore, a colleague of Varnum in the Congress of 1780 was William Churchill Houston, a delegate from New Jersey and in 1781 the clerk of its Supreme Court; but, so far as the present writer is concerned, anything beyond this circumstance is pure conjecture.

## THE SEARCH FOR THE VENEZUELA-GUIANA BOUNDARY<sup>1</sup>

I HAVE been asked to tell something of the historical work of President Cleveland's Boundary Commission. Where the Guiana boundary is, or even where it ought to be, I shall not tell: first, because it would be unkind while the question is still *sub judice*; secondly, because nobody cares, now that Great Britain and Venezuela have agreed to leave it to a court; and, in the third place, because I never found out. Of the methods by which it was sought I know something and may freely speak.

When, just three years ago, President Cleveland's startling message had created—for most of us—the “Venezuelan Question,” and a quintet of American jurists and scholars found themselves charged, at cost of peace or war, “to determine what is the true divisional line between the Republic of Venezuela and British Guiana,” I suppose that many of us expected them to betake themselves bodily to the debatable ground. Some such notion would seem to have possessed the Yale men of Washington, who at the dinner they early gave to the members of the Commission (three of them alumni of Yale) presented each with a huge package of quinine and a bottle of Bourbon whiskey. But, if that mode of solution occurred to the Commissioners themselves, it was soon dispelled by something more than their fear of the shakes. For the mass of maps and descriptions with which they were forthwith flooded by the Library of Congress, to which they first appealed for help, showed that disputed region but a tangle of swamp and forest, with no paths save its rivers, and these as yet scarce threaded by any white man. Not a map of them all showed a sign of a line fence, and even Mr. Schomburgk's posts had, it was said, been long ago pulled up.

For a little there was hope, indeed, that light on the question might be gained from the maps themselves. But, though these agreed beautifully in making Venezuela yellow and British Guiana red, there was a most tantalizing want of harmony among them as to the meeting-point of these colors. For aid in their interpreta-

<sup>1</sup> This paper was read before the American Historical Association at its late meeting in New Haven.

tion, the Commission called on the recognized leader of American historical geographers—here to be named only with bowed head—Professor Justin Winsor; but even he, after sifting two or three hundred of them, could only report that “this cartographical survey makes it clear . . . that there is, and that there can be, no ‘true divisionary line,’ in the sense of indubitable.”

Yet a “true divisional line” the Commission must find. Flouted by nature and baffled by the geographers, they could but take recourse to history. Was there not in the records some clue to a line unmarked by a survey and unpictured in the maps? Our Department of State had laid before the Commission a huge body of diplomatic correspondence, running back for more than half a century. But this only showed that throughout this period no claim had been made by either power, save under express protest by the other. And it appeared, by the repeated statement of each, that neither based its claims on title originally gained by itself, but on a cession of the rights of Spain or of Holland. Even that famous Schomburgk line, whose exemption from question had given rise to the trouble, proved on inquiry to rest, not on divine inspiration, but only on the alleged claims of the Dutch.

It was to the records, then, not of Venezuela and Great Britain, but of Spain and the Netherlands, that the Commission must turn for light. First of all, of course, there were the treaties. These happily were accessible in print, and were only three in number: that of Münster, in 1648, by which Spain first recognized the independence of the Dutch and their right to their colonies,—that of Utrecht, in 1713, which as to the Indies but confirmed the other,—and that of Aranjuez, in 1791, which was merely a cartel for the exchange of slaves. Only that of Münster, then, could seriously come into question as a source of claim. Alas, it admitted of the most diverse interpretation. Venezuela saw in it no warrant for further Dutch colonization in lands claimed by Spain, while Great Britain found in it an express permission to the Dutch “to make fresh acquisitions” of territory “wherever the Spaniards were not already established;” and the true meaning of this clause could not be determined with certainty from the treaty alone. It was at this point that the Commission turned for help to an historical student outside its own body; and it fell to me, for reasons which I can only hope the outcome may have revealed, to be called into its service.

My first task was the interpretation of the disputed clause. To ascertain the authorized language of the treaty, and to determine the precise words used in its official original and their force in the idiom of the time,—to learn from the circumstances of the time and

the negotiations leading to the treaty what was in the thought of the parties,—to inquire into the general policy of each state as to unsettled lands in the Indies,—to find out if this clause of the treaty had ever been appealed to by either power, and, if so, in what sense,—to study the meaning put upon it by later diplomatists and historians: these were clearly the channels through which knowledge was to be sought. And, happily, even the proceedings of the negotiators and the instructions to the envoys were available in print,—those of the Dutch in the noble old work of Aitzema, those of the Spaniards in a lately published volume of the great national *Coleccion de Documentos Inéditos*, and the comments of their French colleagues in the *Négociations Secrètes* of Jean Leclerc. Not all these sources made possible a positive statement as to the meaning of the clause in question; but they at least made it very improbable that in the intent of the framers of the treaty it could have been so sweeping a concession as was claimed by its British interpreters.<sup>1</sup>

The treaties, then, did not help about the boundary. But it had been further urged by Great Britain that, long before these treaties, the Dutch Government had granted by charter to its West India Company the whole coast of Guiana, expressly naming the river Orinoco “as the limit of the Company’s territorial jurisdiction,” and that this limit had been repeatedly re-affirmed, both in the legislation of the States-General and in the grants made by the Company. This was important, if true; for a claim so notorious, if ignored by the treaties, might well go far to prove admitted ownership. But the legislation of the Dutch States-General, and even the grants of the Dutch West India Company, were for the most part also in print and accessible in American libraries; and it was a much easier task (though it cost a run to the libraries at the old Dutch capital of New Netherland) to learn of a surety that neither in any charter or act of the States-General nor in any published grant or legislation of the West India Company is there any mention of the Orinoco as a limit of territorial right, possession, or jurisdiction. It was, indeed,

<sup>1</sup> More than improbable I cannot even now deem it; and I must here most earnestly protest against a meaning given to my conclusions by sundry reviewers, Dutch as well as American, of the report of the Commission. I have been made to assert that the treaty of Münster *forbade* the Dutch further settlement in unsettled regions claimed by Spain. If the British interpretation seemed *improbable*, this seems to me *impossible*. As to unsettled regions, the treaty, in my opinion, simply shuts its eyes; agreement on this point between Spain and the Dutch, as between Spain and the other states of western Europe, was palpably impossible, and the treaty left the Dutch as to this on the same footing with the other powers and precisely where they were before. That nothing is said of this in my report is because that report had to do, not with the treaty as a whole, but only with one stipulated clause. Had I, however, supposed such a misunderstanding possible, I should certainly have guarded against it.

clear from these documents, that the whole coast of Guiana, from the Amazon to the Orinoco, was counted *open* to colonization by the Dutch; but so, alas, it was also by the French and the English, who from the beginning of the century had been likewise planting settlements on this coast and without the slightest protest from the Dutch—whom, indeed, they preceded in this quarter.<sup>1</sup>

If errors so serious could be made in the interpretation of documents published and well known, how could the Commission rely on those which it knew only as laid before it by the contending parties? Documents of interest were constantly being cited from the Dutch or the Spanish archives, and claims of much importance supported by vague reference to these, sometimes without the quotation of the document even in extract or in translation. How could the Commission know that papers of moment were not misunderstood, or mistranslated, or even overlooked? Happily, as for Spain, where it might just then have been a delicate matter to ask favors for Americans, the government of Venezuela offered to lay before the Commission the transcripts, made and officially certified by the Spanish archivists themselves, of all the documents which could be found bearing upon the question at issue; and on the correctness and the completeness of these there was a further check in the blue-books of the British government, in which the same documents, supplied from the same source, were being laid before the British public and incidentally before the Commission. At Rome, too, whence such evidence was hoped from the archives of the Propaganda and of the Capuchin order as to the Spanish missions in Guiana, there was reason to believe that through the courtesy of the ecclesiastical authorities, with whom the Commission was in correspondence, all that could be found would be furnished in certified form without the intervention of an agent. But from the records in Holland, whose testimony might be all-important as to

<sup>1</sup> And let me here take occasion to say a word upon a point raised by the keen-eyed but generous critic who reviewed the Commission's report for the *American Historical Review*. "The general course and tone," he thinks, of the work done for the Commission, "run much as a hostile criticism of the British case." I think there is truth in this; but the explanation is simple. The British claims, which based themselves chiefly on facts of occupation, dealt in definite historical statements, demanding critical discussion. Venezuela, claiming by prior discovery, was content, as to these, to throw on her antagonist much of the burden of proof, and her sweeping denials neither needed nor permitted such criticism; but, had the reviewer been as familiar with Venezuelan claims as with British ones, it is possible he might have found them no less fully answered. And, had the Commission's work not been interrupted before the Spanish evidence could be submitted to as thorough a sifting as the Dutch, it would perhaps have appeared that the only hostility was toward reckless statement. If those who served the Commission were sympathizers with either party to the controversy, I do not know it. But that is neither here nor there. It was not a question of sympathy: it was a question of historical fact.

those facts of occupation on which British claims were chiefly based, next to nothing had been printed even in translation; nor could it be learned that research was there going on.

On the other hand, the work of the Commission among the great body of printed histories, travels, descriptions, which professed to give the facts as to the discovery and settlement of Guiana made it growingly conscious that here, too, there must be analysis and sifting by a trained investigator before anything could be taken as a basis for its own conclusions. To meet this double need, the Commission now called in further to its aid Professor Jameson, of Brown University, whose admirable monograph on the founder of the Dutch West India Company showed his pre-eminent fitness for dealing with the problems in hand. After looking over the field together, it seemed wise that he should investigate in American libraries the history of Spanish and Dutch settlements in Guiana prior to 1648 (the date of the treaty of Münster) while I was sent across the sea to explore the Dutch archives. His task was first completed, and his searching criticism vastly cleared the ground for the Commission by discarding a multitude of loose statements, both Spanish and Dutch, as to the beginnings of settlement in Guiana.

My own researches began at the Hague, where, of course, in the archives of the realm, was to be sought the diplomatic correspondence between Holland and Spain—those despatches of the Dutch ambassadors at Madrid to the States-General, to their secretary, and to the Pensionary of Holland, and those instructions issued in return by these to the ambassadors, wherein one might at any moment light on claim or protest as to Guiana. There, too, were of course the minutes of the States-General's own proceedings, to be skimmed for permissions to voyagers, for grants to colonists, for charters to traders; there the records of the Dutch admiralties, with their rulings as to ships in every sea; there the log-books of Dutch men-of-war, a vast collection, testifying much as to the Guiana coats; there the huge tomes of negotiations and debates leading to the treaties of Münster and Utrecht—proving, happily, to hold little of moment not already printed. There, too, most important of all, I found, to my surprise and great joy, gathered now under this one roof of the national archives, the entire body of those papers of the Dutch West India Company for which, half a century ago, Brodhead, on the errand of the state of New York, had to ransack all Holland. And whereas, to Brodhead's grief, the papers of the Amsterdam Chamber, the body controlling New Netherland, had in large part been sold or burnt, those of the Zeeland Chamber, under whose control were the Guiana colonies, proved almost absolutely

intact. It was, indeed, their abundance which appalled. Of these thousands of thick volumes of manuscript, some hundreds at least, as was evident from the catalogue, must be thoroughly searched: reports and letters from Guiana and answering orders from its rulers, deliberations of the Company's chambers, prospectuses and grants, contracts and commissions, accounts without end of the Company's colonial farms, valuable in evidence of occupancy, pay-rolls and muster-rolls of the Company's servants, testifying to the location, date, duration, equipment, of those frontier trading-posts on whose site and character turn so much of British claim, journals of the colonial administration, transactions of the colonial courts, maps by the colonial surveyors.

From all these evidence had to be gleaned, transcribed, Englished; and despite the valued help that came to me in July through the coming of Dr. De Haan, of Johns Hopkins University, a careful scholar, Dutchman by birth and Spaniard by *Fach*, to whose hands I could safely entrust the task of collation and translation, weeks had grown to months before I could bring my investigations to a close. These had meanwhile led me from the Hague to Zeeland in the vain hope of there finding more in the municipal records, and thence across the North Sea to London, whither, not more to my surprise than to that of the Dutch archivists, a great part of the eighteenth-century records of the Essequibo colony were found to have drifted. It was past mid-October, notwithstanding all diligence, before I could sail for home with my transcripts.

Meanwhile, good work had been doing on this side of the sea. While the keen and tireless geographer of the Commission, Mr. Marcus Baker, had been shaping from the chaos of journals and reports a body of reliable data as to the natural features of the region in controversy, and directing the making of a map which should embody his results, its versatile secretary, Mr. Mallet-Prevost, was busy among the great map collections of our eastern cities in the almost hopeless pursuit of sources of suggestion and lines of dependence which should explain the contradictory boundaries of the map-makers.

If, in this survey of the work done *for* the Commission, I have seemed to lose sight of the work done *by* the Commission, it is only because for reasons of state, whose nature is evident, the work done *by* the Commission never saw the light. To prescribe, to direct, to keep abreast of all these lines of research, to correlate their results, and to determine the principles of law which should govern their application to the question at issue, meanwhile maintaining a check



upon the work of their lieutenants by dipping independently into all the more important sources, was a task to consume the leisure of far less busy men ; and none need doubt the sense of grateful relief with which they hailed the tidings that the responsibility of a verdict had been transferred to other shoulders. How far the Commission would have adopted the results of its experts, or what conclusions they would have based upon them, is of course beyond the reach of conjecture.

What, then, did it all amount to ? The American Commission, in its report, uttered the hope that its labors might be of value to the Arbitral Tribunal. I dare to trust that they have had an earlier use. Even while we were at work, a great change came over the attitude of both Great Britain and Venezuela to the matter at issue. From the point of view of the trained student it would be hard to conceive a contrast more striking than that of the second to the first of the blue-books in which the British Government set forth and established its claim. Rash statements of fact were quietly retired, assertions of right were modified, documents were given in full, with exact statement of their whereabouts, and even sometimes in the original tongue. Venezuela's indignant and sweeping denials gave place in later utterances to more definite and persuasive statement. And long before our work was published both countries had arrived, by independent research of their own, at more than one of our results. It may be that we only gave them the time to do this work. Yet, as I have turned over in the past months the pages of the Case and the Counter-Case submitted by each country to the Arbitral Tribunal, and have noted how, in spite of much additional evidence, both of document and map, the statement of historical fact laid down by each agrees at nearly all points with the results reached for the American Commission, and further how, as to this basis of historical fact, however divergent the claims based upon it, there is now substantial agreement between the contestants, so that their issue is now in the main one of law, not of fact, I have taken pleasure in the belief that already our work has proved of service.

We shall soon know the verdict of the final tribunal. Case and Counter-Case are in. The printed briefs have been submitted. The oral arguments will be heard in May. Before midsummer we shall doubtless know the result.

Whatever that result may be—whether or no our labors may have aided to add a few more miles of swamp or of forest to the territory of Great Britain or of Venezuela—I cannot believe that those labors are lost. Nay, even though errors of detail be detected in our work, if that work as a whole shall be found the work of

scholars and true men—work generous in scope, scientific in method, fair in spirit—I believe there must come out of it something better than the ownership of swamp or of forest, of gold mines or mouths of rivers. I believe that the world will be slow to forget that there has been found for an aggrieved nation, even when its demand for arbitration has been refused, a way to deal with a question of historical claim more effective than an immediate appeal to arms. And if, to the sober eye of retrospective history, it shall appear that in this instance the foremost of civilized states was on the point of being drawn into desperate war with two transatlantic neighbors over a claim which had no better objective basis than a German adventurer's misreading of an Indian name, I much doubt if any civilized state will so soon again be willing to risk the derision of posterity by refusing all peaceful arbitration until it has at least set its own scholars at one earnest effort to test the justice of its cause.

GEORGE LINCOLN BURR.

## DOCUMENTS

1. *The Siege of Charleston; Journal of Captain Peter Russell, December 25, 1779, to May 2, 1780.*

CAPTAIN PETER RUSSELL, "a remote scion of the Bedford Russells," was born near Cork. From a letter addressed to the Duke of Portland in April, 1799, we learn that he attended the University of Cambridge. Entering the army, on August 18, 1778, he received his commission of captain in the 64th Regiment and was with the expedition sent against Savannah and Charleston in 1779-1780, during which he seems to have kept the following journal. Nothing appears to be known of his career after the termination of the war until his emigration to the newly-formed province of Upper Canada in 1792. Governor Simcoe appointed him a member of the Executive Council, and on Simcoe's return to England, in 1796, he became administrator of the province with the title of President. This position he held until the arrival of General Hunter, in August, 1799. His name is usually associated with the circumstance of the numerous grants of land made by the administrator to the individual. As executive councillor he was entitled to 6000 acres, which he preferred to take in small quantities in different portions of the country. He afterwards filled the position of receiver-general and died at York (Toronto) September 30, 1808. His papers, with all his property, passed into the hands of his sister, Miss Elizabeth Russell, who bequeathed them to Dr. William Warren Baldwin, a young doctor from the same district in the South of Ireland from which she and her brother had emigrated. In his custody and that of his son, the Hon. Robert Baldwin, attorney-general, they remained until the death of the latter in 1858. Shortly after they were burned, with the exception of the longer documents, which were deposited with the Baldwin papers. The executors of the Baldwin estate retained these in safe custody until 1898, when they were deposited in the Public Library, Toronto. The little volume ends abruptly, and so far no continuation has been discovered. As it is marked No. 3, it is evidently one of a series, the earlier parts of which may yet be found.

JAMES BAIN, JR.

*December 25<sup>th</sup> 1779* Embarked at N York in the John, a Horse Transport, with the Commander in Chief, Sir H. Clinton, and his family consisting of Major Crosby, Major Willmousky,<sup>1</sup> Captains Hanger,<sup>2</sup> S<sup>t</sup> George, and Keppel and L<sup>t</sup> Col<sup>o</sup> Watson, Aides de Camp, and Captains Philips and Russell Ass<sup>t</sup> Secretaries. Fell down the same day to the Hook, where the Commander in Chief, Major Crosby and Major Andre<sup>3</sup> left us and embarked in the Romulus Man of War.

*Dec<sup>r</sup> 26<sup>th</sup>.* The whole Fleet, consisting of the Europe, V. Admiral Arbuthnot, Russell Commodore Drake,<sup>4</sup> Robuste, Reasonable and Defiance Line of Battle, Renown 50, Roebuck and Romulus 44<sup>s</sup>, Perseus and Camilla Frigates, Anna Theresa Packet, 57 Transports 3 Ordnance and 3 Engineer<sup>s</sup> Ships, 3 Navy and 7 Army Victualers, and 13 Small Craft with Horses,<sup>5</sup> having on board 1<sup>st</sup> and 2<sup>d</sup> Batt<sup>s</sup> of Light Infantry and 1<sup>st</sup> and 2<sup>d</sup> Batt<sup>s</sup> of

	Men
Grenadiers, both	2000
4 Battalions Hessian Grenadiers	1600
7 <sup>th</sup> Foot	} 2000
23 <sup>d</sup> d <sup>o</sup>	
33 <sup>d</sup> d <sup>o</sup>	
63 <sup>d</sup> d <sup>o</sup>	
64 <sup>th</sup> d <sup>o</sup>	
Artillery	146
17 <sup>th</sup> Light Dragoons	50
Huynes Regiment of Hessians	500
Detachment of 71 <sup>st</sup>	150
Yagers	250
Legion mounted and dismounted	400
Fergusons and Hangers Riflemen	350
Guides and Pioniers	120
	<hr/>
Total	7584

Generals

Sir H. Clinton, Commander in Chief

Earl Cornwallis, Lieu<sup>t</sup> General

Brig<sup>r</sup> Gen<sup>l</sup> Patterson

Major General Huyn<sup>5</sup>

Major General Kospoth.<sup>5</sup>

Sailed from the Hook about one oclock with a fair wind for the Southward.

<sup>1</sup> Emanuel de Willmousky, major of the Regiment Mirbach, major of brigade in the Hessian corps. [Mr. Bain is not responsible for the annotation of the documents.]

<sup>2</sup> Afterward Lord Coleraine.

<sup>3</sup> The celebrated Major John Andre.

<sup>4</sup> Afterward Rear-Admiral Sir Francis Samuel Drake.

<sup>5</sup> Of the Hessian corps.

[The entries for the next thirty-three days, relating to the voyage and the storms encountered, are omitted.]

*Jan<sup>y</sup> 29<sup>th</sup>.* The Wind came about to the N. E. in the Night, which carried us 7 Knots, fine weather and smooth Sea. in Lat. 32.41 by obs. 60 Sail in Sight The admiral at Noon Shaped his Course for Tybee. Course S. W. by S. Land in Sight on the Starboard Beam. Joined to-day by the Roebuck, Renown, and Blonde. Received Intelligence from the Romulus which She received from a Privateer that 800 Men had been taken Prisoners by the Spaniards in Pensacola.<sup>1</sup> They were commanded by Lieu<sup>t</sup> Col<sup>l</sup> Dickson of the 16<sup>th</sup>. Also that the Raleigh and Richmond were arrived on the Coast in their way to New York ; who bring an acc<sup>t</sup> that the British Fleet were drove into Port<sup>2</sup> by the combined Fleets and that a Rebel of the Name of Jones had taken one of our 40 Gun Ships<sup>3</sup> and carried her into the Texel. The Admiral brought to with the fleet at 10 at Night, being afraid of running too far in.

*Jan<sup>y</sup> 30.* Calm in the Morning but the Wind afterward sprung up from the West. Two Men of War, The Foy and an armed Ship called the Germain, came into the fleet today. In Lat. 31.51 Received Intelligence that the Rebels have twelve Sail of strong armed Ships and a considerable Body of Troops at Charles Town. Lord Cornwallis landed at Savannah from the Roebuck, who chased a 32 Gun Ship a Shore yesterday, but she got off again. The Renown, Roebuck and Blonde left the fleet this morning to cruise off Charles Town. 61 Sail in Sight. about 9 Leagues off Tybee at noon. at 5 in the Evening the Admiral made the Signal for the fleet to Anchor, but at half after Nine he tacked without Signal which our Ship observed and did the Same, by which we got separated from the rest of the fleet.

*Jan<sup>y</sup> 31<sup>st</sup>.* Wind N. N. W. At ten in the Morn<sup>g</sup> light airs and foggy and no Ships in Sight. About noon we saw the Light House of Tybee bearing N. N. W. of us two leagues distant and discovered Several of the fleet to leeward thro the Fog. having no Pilot we are obliged to stand off and on. The Fog continuing we came to an Anchor at 4 in the Afternoon near the Perseus about two leagues N. W. of the Light House. Cap<sup>t</sup> Elphinston,<sup>4</sup> L<sup>d</sup> Thomas Clinton &c paid us a Visit to day and informed us that 13 of the Missing Ships were arrived ; including Russell, Roebuck, Reasonable, and Renown. The Crews of the Russell and Roebuck very sickly. The Troops at Savannah in high health ; and 300 Men sent to reinforce the Garrison at S<sup>t</sup> Augustine. Col<sup>l</sup> Dickson was taken at the Natchez. That the Frigates at Cha<sup>s</sup> Town wish to make their Escape but part of our Fleet are ordered to anchor on the Bar and remain until drove off by bad weather. and the large Ships are to water at Beaufort. Cap<sup>t</sup> Elphinston gave us a loaf of Sugar.

*Feb<sup>y</sup> 1<sup>st</sup>.* At half after ten in the Morning we weighed with a few

<sup>1</sup> Read "Baton Rouge." *Remembrancer*, 1780, I. 359-365.

<sup>2</sup> An exaggeration.

<sup>3</sup> The *Serapis*.

<sup>4</sup> Afterward Admiral Lord Keith.

more transports in comp<sup>y</sup> with the Perseus, but the Fog is so thick we cannot see the light House. However by following the Perseus we had the good fortune to get to an Anchor within the Light House at half after 4 in the afternoon. We here found the Vigilant and Several Transports. The Course in is to keep the Light House West and by South and not to shallow your water above three fathom. We were here informed that the Judith Transport foundered on her Voyage and with difficulty the Peoples lives and twenty of the Pontoons were Saved by the Reasonable. Admiral hoisted his flag in the Roebuck

List of Missing Ships.

Elizabeth and Martha	Victualler
Smyrna Galley	Grenadiers
Lord Mulgrave	63 <sup>d</sup>
King George	64 <sup>th</sup>
Fathers Desire	Victualler
Fidelity	Legion
Elenor	D <sup>o</sup> Cavalry
Ann <sup>1</sup>	Hangers [?] Corps.
Littledale	Q <sup>t</sup> M. G. Depart
Russian Merch. <sup>n</sup>	Ordinance D <sup>o</sup> .
Grey Hound	1 com <sup>y</sup> . 63 and Gen <sup>l</sup>
	Pattersons Baggage
Remembrancer	Engineer Departm <sup>t</sup>
	Cap <sup>t</sup> Dunford.

on the 5<sup>th</sup> of Jan<sup>y</sup> The Columbus Rebel Privateer of 20 Guns from Charles Town took the Juno Horse Sloop in the Midst of the fleet, cut the Horses Throats, and after taking Cap<sup>t</sup> James of the Legion out,<sup>2</sup> and making the eleven Men of his Troop give their Parole let the Sloop proceed on her Voyage.

*Feb<sup>y</sup> 2<sup>d</sup>.* Remain at anchor. Weather mild but very Foggy. A great many of the Transports with the Roebuck and Romulus came up with the Mornings Tide. The Island of Tybee has a miserable appearance, being a Bank of Sand with a few Trees and no Water. The watering Place is five fathom Hole 14 Miles from the light House. The General went up to Savannah to day in the Romulus's Barge. Our last Morcel of fresh Provisions consumed to day. Sent Whitaker up to Major Crosbie to inform him of the low State of our Stock. Terrible accounts from Savannah of the great Scarcity and high Prices of every thing.

*Feb<sup>y</sup> 3<sup>d</sup>.* Being sent for by the Commander in Chief, Cap<sup>t</sup> Philips and I went up to Savannah. we were 4 hours and half in rowing up. It is a very broad River with two or three narrow Channels. We passed by Geridoes Plantation (a Bluff about ½ a Mile from the River, to which there is a passage thro' the Marsh by a Causeway) where Col<sup>o</sup> Campbell first landed when he came to reduce this province.<sup>3</sup> We arrived about six

<sup>1</sup> Probably the *Anna*, the romantic story of whose loss is related by Elking, II. 63, 64.

<sup>2</sup> Jacob James, a Loyalist, captain of cavalry in the British Legion.

<sup>3</sup> December 29, 1778.

in the Evening and were immediately conducted to M<sup>r</sup>. Paumiers, the Commissary General,<sup>1</sup> where we lodged and were treated with the utmost Kindness and Hospitality. M<sup>r</sup>. M<sup>c</sup>Cullogh the Collector was also very Civil to us.

*Feb<sup>y</sup> 4<sup>th</sup>.* Remain at Savannah, which we find to be a very disagreeable Sandy Bluff looking over an extensive flat of Rice Grounds. The Houses lie Scattered, and are poorly built mostly of wood—in Short the whole has a most wretched miserable appearance. In Orders as Asst. Secret<sup>y</sup>.

*Feb<sup>y</sup> 5<sup>th</sup>.* Remain. Entered upon General Prevosts acc<sup>ts</sup>.<sup>2</sup> It is reported that the Remembrancer has got into Providence. took a Peep at the Works on the Ebenezer Road; the Ditch of the Lines easily to be leapt over, the Abbatis trifling, and the right of the Works may be doubled without Difficulty. Astonish<sup>d</sup> how they were defended! I wish we may find no better Works at Charles Town.

*Feb<sup>y</sup> 6<sup>th</sup>.* Settled the Indian Business both of Col<sup>o</sup> Brown<sup>3</sup> and M<sup>r</sup>. Shaw. Gen<sup>l</sup> Prevost to inspect their Acc<sup>ts</sup> and pay such as he approves of. Impossible to enter into the whole of Gen<sup>l</sup> Prevosts acc<sup>ts</sup> got an abstract from him of the Sums wanting to pay the Subsistence of the Army and the Contingencies amounting to little more than £11,000 M<sup>r</sup> Paumier has got a Warrant for £5000 L<sup>d</sup> Cathcart<sup>4</sup> to pay the Bat. and Forage of the Southern Army £8500 and £10000 more will be wanted for the Provincials. Sent away the Baggage.

*Feb<sup>y</sup> 7<sup>th</sup>.* The Commander in Chief sent for me and after asking me some Questions relative to M<sup>r</sup> Elliots Papers, His Excell<sup>y</sup> had the Goodness to express a strong desire to serve Cap<sup>t</sup> Philips and myself and desired we would consult together and point out to him some Place which we might hold conjointly without interfering with the business under our Charge. Consulted accordingly—and wrote a Letter in Consequence to his Excell<sup>y</sup> which I am to deliver on some favorable opportunity. The weather so bad, we could not go down.

*Feb<sup>y</sup> 8<sup>th</sup>.* Blows hard at N. W. The Commander in Chief set off about ½ After 8 oclock in the Morning, and Philips, Col<sup>o</sup> Watson, Major Despard,<sup>5</sup> Cap<sup>t</sup> St George and myself set off at Nine in M<sup>r</sup>. M<sup>c</sup>Culloghs Boat—arrived on board the John at 12 oClock. We came thro the Cockspur Channel with flood Tide more than half the passage. We had the Pleasure to find that the L<sup>d</sup> Mulgrave and a Navy Victualer were arrived but no News of the rest. Lord Cathcarts Warrant for £8500 cancelled.

<sup>1</sup> Peter Paumier, deputy commissary-general.

<sup>2</sup> Major-General Augustine Prevost, who had in the previous year defended Savannah against the Americans.

<sup>3</sup> Presumably Lieut. Col. Thomas Brown, the Tory commander of Augusta.

<sup>4</sup> Lord Cathcart, now commander of the British Legion, afterward general and ambassador, had in the previous year acted as quartermaster-general of the British forces in America.

<sup>5</sup> John Despard, captain in the Royal Fusileers, major of the Loyal Americans, and deputy adjutant-general of this expedition.



*Feb<sup>y</sup> 9<sup>th</sup>.* Commander in Chief, Majors Crosby and André, came on board and the whole fleet got under way at  $\frac{1}{2}$  after 12 oclock Noon. a Very fine day. Wind at West. The Russell and Europe joined the fleet. The Perseus got on ground coming over the Bar. The Fleet came to an Anchor at half after four in the Evening about 4 leagues East of Tybee. We left at Savannah L<sup>t</sup> Col<sup>o</sup> Fergusons Corps of Riflemen<sup>1</sup> and Brig. Gen<sup>l</sup> Patterson, who are to be joined by one Battalion of 71<sup>st</sup> the light Infantry of the Georgian Army, some Provincial Corps and Indians, and the Legion for some particular Service. One Battalion of the 71<sup>st</sup> is to join this Army. The Vigilant, Gallies and some empty Transports are gone by the inland Navigation to Beaufort. Gave the Command<sup>r</sup> in Chief a Summary View of M<sup>r</sup> Elliots Papers and a List of such Appointments as may be requisite for him to constitute on his getting Possession of Charles Town. The Part of the Legion which are arrived were landed at Savannah and the rest to join General Patterson as they arrive.

*Feb<sup>y</sup> 10<sup>th</sup>.* The fleet got under Way at half after nine oclock in the Morn<sup>g</sup>. The Perseus got afloat and followed us. The King George, a Missing Transport having three Companies of 64<sup>th</sup> under Major M<sup>o</sup> Leroth, joined us this Evening to our great Satisfaction.

*February 11<sup>th</sup>.* Came to an anchor at one in the morn<sup>g</sup>. Weighed, again, at seven in the morning, with the whole Fleet. Captain Moncrieff<sup>2</sup> came on board at 8 oclock and Captain Elphinstone and a Pilot at half after ten. One of our Cruisers appeared to Windward, but we do not know her name. The John led the fleet, consisting of 55 Sail, into North Edisto, where we came to an Anchor about  $\frac{1}{2}$  a league from Symmonds Island opposite to a Creek at 12 oclock. Lord Cornwallis, the Admiral &c came on board, and a Disposition was immediately made for landing the Troops. The Army brigaded: British Grenadiers and Light Infantry under Major General Leslie<sup>3</sup> Hessian Grenadiers under Major General Kospoth. These two Brigades under Lord Cornwallis. The 7<sup>th</sup> 23<sup>d</sup> 63<sup>d</sup> 64<sup>th</sup> 33<sup>d</sup> 71<sup>st</sup> Yagers and Regiment of Hyn—under L<sup>t</sup> Col<sup>o</sup> Clark,<sup>4</sup> L<sup>t</sup> Col<sup>o</sup> Webster<sup>5</sup> and Major General Huyn, who has also the Command of this latter Division. Part of the British Grenadiers and light Infantry landed at Six in the Evening. The Commander in Chief with all his Suit except Cap<sup>t</sup> Philips Major Willmousky and myself landed along with them. a rainy Evening. The Harbour of North Edisto lies land locked between Symonds and Tuckers Islands opposite a Creek which leads to a Bridge communicating with S<sup>t</sup> Johns Island—only 15 feet over the

<sup>1</sup> Lieut. Col. Patrick Ferguson of the 71<sup>st</sup> Highlanders, killed at King's Mountain in October.

<sup>2</sup> Captain James Moncrieff of the Royal Engineers, who had charge of the works at Savannah and at Charleston.

<sup>3</sup> Major-General the Hon. Alexander Leslie.

<sup>4</sup> Alured Clarke, lieutenant-colonel of the Seventh Fusileers; afterward conqueror of the Cape of Good Hope, commander-in-chief in India, and field-marshal.

<sup>5</sup> Lieut. Col. James Webster of the 33<sup>d</sup> Foot, mortally wounded the next year at Guilford Court House.

Bar. The Harbor very secure about a mile from land to land and good anchorage of 7 fathom. The Roebuck and Perseus did not attempt to come in. The General requires that Philips and I shall take it by Turns to remain in the Ship with the Papers and Money. A Gale of Wind came on this Evening from the North East accompanied with Rain—so that it was lucky we got in as we did. Some of the Troops lost their way in the woods and the Gen<sup>l</sup> lay under a Tree in the Rain.

*Feb<sup>y</sup> 12<sup>th</sup>* The Remainder of the Army and Cavalry landed in the Morning. Wind the same, with a thick Fog and Rain. Cap<sup>t</sup> Philips went up in the Whale Boat to Simmonds House with a Bed, Trunk and Canteens belonging to the General. Some more of the Troops lost their Way, tho it was not above three Miles to Symonds House. Light Infantry moved to Wilson's House and took post.

*Feb<sup>y</sup> 13<sup>th</sup>* Wind in the same Quarter but no Rain. Sent up Whitaker and Generals Servants with Liquors Cooking utensils, &c. Two Ships appear in the offing. Six days Provisions for the Army sent to Symonds House also the Waggons of British Regiments and two three Pounders. Rec<sup>d</sup> Information from two Inhabitants, White and Remington, that there are 500 Horses, 2000 Horned Cattle and 20000 Sheep on Edisto Island—That the Lively and Ariel are escaped from Charles Town—the Queen of France, Ranger Boston and Confederacy, with two French Frigates remain there,—also that 15 Sail of West India Men had arrived since our fleet appeared off the Coast. A Rebel Continental or Militia Captain taken to day. The General employed reconnoitring St Johns Island and the Stono Entrance. Cap<sup>t</sup> Elphinstone went off after Nine at Night to examine the Cut between Key Waw and Symonds Islands. Rained in the night Light Infantry took post one Battalion at Chishoms, the other at Fenwicks

*Feb<sup>y</sup> 14<sup>th</sup>* Sent the Generals black Box by Cap<sup>t</sup> Philips. he took up also a Bag of Gold marked 1002 G<sup>s</sup>. Cap<sup>t</sup> Elphinstone returned. A number of the Inhabitants of Edisto Island came to solicit Protection—ordered them to collect the Government Horses and bring them to the landing. Wind South East. no Rain. Yagers and 33 took post at Stono Ferry.<sup>1</sup>

*Feb<sup>y</sup> 15<sup>th</sup>* Captain Elphinstone went with the flat Boats by the Upper Navigation to Stono Ferry where the army was to meet him. The Scourge Galley accompanied him. Gen<sup>l</sup> Leslie arrived in the Packet in 5 days from Tybee, where the Smyrna Galley had arrived under Convoy of a Privateer. The Smyrna Galley parted with the Defiance and Six Ships the 8<sup>th</sup> Inst. She also reports that the Russia Merch<sup>an</sup> an Artillery Ship foundered, and ninety of the People Saved. The other Artillery Vessel had been taken by a Rebel Privateer, and 12 Artillery Men taken out, but the Vessel afterwards retaken by the Defiance. Cap<sup>t</sup> M<sup>r</sup> Kinnon D. Q. M. General received from Edisto Island eight of the Kings Horses. Wind South West and afterwards South East, Rained the greatest part of the day. Army remained in their Encampment.

<sup>1</sup> See Elking, tr. Stone, pp. 177, 178.

*Feb<sup>y</sup> 16<sup>th</sup>* Delivered from Edisto eight Horses to a Hessian Serjeant at the landing on Simonds Island, and two more to Serjeant Joel Symond of the Q<sup>r</sup> M. General Department Landed at Daniel Jenkins House on Edisto and brought off three Horses from thence and some Indian Corn. A Schooner arrived from Tybee. The Defiance was arrived there with 5 Sail of Vessels. A very fine day Light Infantry crossed over to Stono, as also 7<sup>th</sup> 33<sup>d</sup> and Yagers and 23<sup>d</sup>. General Leslie takes the Command there

*Feb<sup>y</sup> 17<sup>th</sup>* Wind N. East. The Roebuck Reasonable and Blonde in the offing. The Admiral in the Roebuck came to an anchor off the Harbour. An Officer arrived from him with a Sloop from Providence with 115 Rebel Prisoners permitted to go from thence on their Parole to any part of America promising to send off as many British in Exchange. The Blonde saw the Light House of Charles Town blown up by the Rebels. The Admiral fell in with a Transport having on board some Recruits for the Army which came out with the Iris and another Man of War. She is sent into Tybee, and the Raleigh has been since seen off that Harbour. Captain Elphinstone returned about two this Morning, having effected his Passage through Wadmalaw with the flat Boats to Stono. The 1<sup>st</sup> Battalion Light Infantry, 7<sup>th</sup> 23, and 33<sup>d</sup> Reg<sup>ts</sup> with the Jagers passed the ferry yesterday and took Possession of Col<sup>o</sup> Maitlands<sup>1</sup> works under the Command of Major General Leslie while the rest of the army except two Battalions moved to Gibbs's under Lord Cornwallis. The Commander in Chief removes to Fenwicks today Five Artillery and Baggage Ships Sailed up to Wadmalaw this afternoon, and the flat and long Boats of the fleet go up this Evening with 8 Days Provision for the Army The Gun Boat and a flat Boat also effected their passage yesterday by Key Waw and up Stono to the ferry without opposition. Sent four more Horses to the Army, the Hessian Guard at the landing having given a Recipe for them. Guard removed from thence this Night Position of the Army 1<sup>st</sup> Batt. L. I., Jagers, 33<sup>d</sup> 7<sup>th</sup> and 23<sup>d</sup> on the Main Side of Stono ferry. 2<sup>d</sup> L. I. at Chisholms House. 1<sup>st</sup> Gren<sup>rs</sup> at Fenwicks 2<sup>d</sup> Gren<sup>rs</sup> at Gibbs. Hess<sup>ns</sup> d<sup>o</sup> at Wells's. 63 and 64<sup>th</sup> at Wilsons, and Huynes Reg<sup>t</sup> at Simmonds Bridge

*Feb<sup>y</sup> 18.* The Briton arrived here with Col<sup>o</sup> Innes Cap<sup>t</sup> Robinson and M<sup>r</sup> Simsons and Lord Cornwallis's Horses. Ten of the Horses on board were killed on the Voyage thro Necessity received confirmation of the Russia Merch<sup>n</sup> an Ordnance Ship having foundered the people on board saved by the Lord Dunmore Privateer and carried to Bermudas. Captain Philips carried up the Chest of Money under my charge, got a return of the 63 Convalescents in the different Ships Sent up more stationary by Cap<sup>t</sup> Philips. A Canoe with a Pilot and six hands dispatched to Night thro the inland Navigation to S<sup>t</sup> Helena Sound to look after the Gallies expected from Beaufort. Received several compl<sup>ts</sup> to-day from the Inhabitants of Edisto of the Sailors plundering their Houses and killing and taking away their Cattle I communicated them

<sup>1</sup> Hon. Alexander Maitland, colonel of the 49th Foot.

to the Adju<sup>t</sup>. Gen<sup>l</sup>. for the Commander in Chiefs Information Received a Letter from Major André, desiring my Opinion of the Number of Cattle and Horses which the Islands of Edisto and Tucker were capable of Supplying, and that the General was not desirous of granting Protections to the Inhabitants, until they gave something more than Negative Proofs of their attachment to Government. fair Weather Army in same Position.

*Feb<sup>y</sup> 19<sup>th</sup>* Wind North East, hard Gales and Rainy. The Vindictive Galley arrived thro' the Cuts—brings an Acct of the Snake Galley of one Nine Pounder being blown up in the Passage hither by Accident. One Gunners mate and a woman lost by this accid<sup>t</sup> the rest of the Crew being on Shore. Captain Elphinstone went up again to Stono. Overhauled the Secretary's Boxes, and discovered that the Duplicates of last Dispatches are left behind. I have them therefore to prepare over again.

*Feb<sup>y</sup> 20<sup>th</sup>* One Galley and three Schooners came thro' the Cuts and were sent off upon Some Duty. I went on Shore and brought off four horses, one of which I kept the rest I sent by Fred<sup>k</sup>. Williams of the Carolinians to Major Hay with a Letter. two Negroes, Bristol and Harry accompanied him. L<sup>d</sup> Cornwallis's Horses landed. wrote by the Dragoon to Cap<sup>t</sup> Philips. Wind N. W. a fine day Galley anchored to day in Wappoo Cut. Huynes Regim<sup>t</sup> took post near Wells's. 1<sup>st</sup> L. I. recrossed Stono and took Post near the Ferry. 2<sup>d</sup> L. I. to Fenwicks

*Feb<sup>y</sup> 21<sup>st</sup>* Hard Gales of Wind from N. E. with heavy Rain. Accounts came from Tybee that the Raleigh, Smyrna Galley Fidelity, Elinor, Greyhound, Elizabeth and Martha, Charming Polly, Gen<sup>l</sup> Pattison and Littledale are arrived there and that the Defiance having struck on the North Breakers in attempting to go in has stranded and got 9 feet Water in her hold, and it is expected will be lost. Received a Letter from the General to order the Packet immediately over the Bar and join the Admiral—which I have done but the Weather is so bad the Pilot will not venture to take charge of her. Cap<sup>t</sup> Tonkin went to the John and Jeane. M<sup>r</sup> Winter went up to the Army with Provisions. 1<sup>st</sup> and 2<sup>d</sup> at Fenwicks, where 1<sup>st</sup> L. I. took Post.

*Feb<sup>y</sup> 22<sup>d</sup>* Wind S. E. blows hard and rains. Bo<sup>t</sup> of M<sup>r</sup> Putnam for the General a firkin of Butter and Box of Candles £11.17 for which I gave my Receipt to be returned when the Money is paid. The Perseus with 18 Sail from Tybee appeared off the Harbour about 5 in the afternoon, but a violent Gale of Wind coming on from the N. West they were blown off again. About Seven Cap<sup>t</sup> Pike brought me a Letter from André to tell me the General requested that I would muster with the assistance of Cap<sup>t</sup> Tonkin a Sufficient Party to bring off John Short from Key Waw Island and send him to Head Quarters. Army as yesterday.

*Feb<sup>y</sup> 23<sup>d</sup>* I accordingly set off at half after nine in the morning with 2 serg<sup>ts</sup> and 16 Privates in a flat Boat to Simmons's with an Intention of passing the overhual at high Water and going down Key Waw River with the Ebb, but the strong Westerly Winds had blown the Water so much out of the Cut that I could not pass with the Boats, and when I attempted to go to the ford by land, I found the Waters so out that it was

impracticable to get to the Island that way, I therefore gave up the Matter and brought back my Party to the Beach, leaving the Boat to return the next Tide. A most violent Hurricane the greater part of the day, which drove several of the Transports foul of each other and some of them on Shore, but no material Injury was done to any. 300 L. I. embarked in the Galley.

*Feb<sup>y</sup> 24<sup>th</sup>.* Blew strong in the Morning from N. W. but moderated towards Evening. The Packet sailed over the bar to join the Admiral. An Orderly Dragoon brought me Dispatches from the General, who desires I will keep his English Dispatches, which are coming by the *Perseus*, until I see him. A Battalion of light Infantry and another of Grenadiers pushed over to James Island today, and also the heavy Artillery, a Serj<sup>t</sup> and 12 of the Pioneers surprised at Stono by the Enemy's Light Horse. Light Infantry landed at Perinos House. B. G<sup>s</sup> crossed at Matthews and landed at Hamilton.

*Feb<sup>y</sup> 25<sup>th</sup>.* Wind N. E. a fine day. Head Q<sup>rs</sup> at Perinos Captain Hanger came down from the General to take up his Dispatches brought no letter to me. Sent a Serj<sup>t</sup> and 4 Men by Simon's Inlet to Key Waw in quest of Short. Could not hear of any Such person, but found some Salt Works on Middletons Plantation having 50 or 60 Bushels of ready made Salt—informed the Commander in Chief of it, and spoke to Tonkin to send a Boat to bring it off. One Schooner and three Sloops with horses for the Artillery and Q. M. G Department arrived this afternoon between 20 and 30 of them thrown overboard in the last severe Gale. B. Gr<sup>s</sup> took post at the Bridge on the New Cut. Hess<sup>n</sup> Gr<sup>s</sup> crossed at Mathews and took post at Hamiltons.

*Feb<sup>y</sup> 26<sup>th</sup>.* South West, fine Weather. Received a Letter from the Admiral for the Commander in Chief. Explored Tuckers Island, found it without Inhabitants, and saw no living animals there. Some convalescents brought from the *Roebuck* under a Surgeons Man of the name of Hart. sent them to Jenkins House on Edisto. Directed the Inhabitants of the Island to supply them with fresh Provisions for Payment at a reasonable price. Informed that the fleet were seen in the Offing to the Northward, and that the Admiral intended to conduct them into Stono. Army remains as yesterday.

*Feb<sup>y</sup> 27<sup>th</sup>.* Hess<sup>n</sup> Gr<sup>s</sup> marched to Fort Johnson. Huynes Reg<sup>t</sup> crossed to Matthews and the 64<sup>th</sup> took Ground of Hess<sup>n</sup> Gr<sup>s</sup>. The *Fathers Desire*, a large Army Victualler, got on ground on the N. Breakers but by the Vigilance of Cap<sup>t</sup> Tonkin in lightening her she got off again and was brought in. informed by Sir W<sup>m</sup> Twisden<sup>1</sup> that General Robertson<sup>2</sup> is gone into Stono with the Commander in Chiefs Dispatches. he came in the *Romulus*. The *Æolus* and fame with 8 Companies of 71<sup>st</sup> are missing. they had but 4 days Provisions and Water when they sailed from Tybee and have been out seven days. The *Rosey*, an Ordnance Brig,

<sup>1</sup> A lieutenant in the Royal Fusileers.

<sup>2</sup> Colonel of the 16th Regiment.

is likewise missing. Dined on board M<sup>r</sup> Townsend.<sup>1</sup> Good Weather. Cap<sup>t</sup> Hanger returned. The Remembrancer came in to day.

*Feb<sup>y</sup> 28<sup>h</sup>* Cap<sup>t</sup> Elphinstone came down from the army. The Grenadiers and light Infantry with the Commander in Chief took Possession of James Island yesterday without opposition. Whitaker came down to day. Sent a Q<sup>r</sup> Cask of Madeira drawn from the Pipe by him, with some fruit from Providence<sup>2</sup> and Stationary for Cap<sup>t</sup> Philips. The Butter and Candles returned to M<sup>r</sup> Putnam. A man belonging to the Betsy and Pollys boat killed in her by the Rebels near Stono, and the Gun Boat fired two or three rounds of Grape at about 50 of them hid in the Marsh. They burnt the Andrews long Boat. Two Companies of Grenadiers, one comp<sup>y</sup> of 63<sup>d</sup> and another of the 71<sup>st</sup> landed from the Savannah Ships. M<sup>r</sup> Winter came down to night with the long Boats. The Gun Boat and three flat Boats coming from Savannah with the Perseus, lost in the last bad weather. 2 Rebel Frigates and a French d<sup>o</sup> Cannonaded the Hess<sup>n</sup> Gr<sup>s</sup> Encampment.<sup>3</sup> 2 Hess<sup>ns</sup> and 1 Artil<sup>man</sup> wounded 7<sup>th</sup> and 23<sup>d</sup> and Jagers crossed Stono ferry. 100 men left on the Main in 2 Redoubts remainder of 71<sup>st</sup> landed on Johns Island and joined Col<sup>o</sup> Webster. A good day. Dined on board the John and Jean

*Feb<sup>y</sup> 29<sup>th</sup>* M<sup>r</sup> Winter returned to the army with the long boats loaded with the Hessian Waggon and Artillery. Wind N. E. brisk Gale 7<sup>th</sup> and 23<sup>d</sup> Reg<sup>ts</sup> crossed at Mathews landed at Hamiltons and took post near H<sup>d</sup> Q<sup>rs</sup>. Hess<sup>n</sup> Gr<sup>s</sup> moved their Camp farther back out of the Canonade.

*March 1<sup>st</sup>* Wind South blows hard and rains.

*March 2<sup>d</sup>* Wind N. W. fair day. Captain Elphinstone went round to Stono in the Breton having with him a number of Vessels of light draft loaded with the Engineers and Q<sup>r</sup> M. Generals Stores. L<sup>t</sup> Gilfinnan<sup>4</sup> landed his Waggon &c at Simmons. Comet Galley came from Beaufort after trifling away her time near three weeks. ordered to Stono

*March 3<sup>d</sup>* Wind Westerly, fresh Breese and fine day. M<sup>r</sup> Winter returned w. the Boats. The John fell down the River, to proceed to sea to Morrow if we can get a Pilot. The Æolus, Fame Rosey &c. arrived Safe in Stono. They had been one day without Provisions and Water. The Defiance entirely lost, and none of her Stores saved except a few 18 Pounds. Comet did not Sail

*March 4<sup>th</sup>* Wind East and N. East, a fine day. Could not Stir the Wind being against us. A Fire in Charles Town, and great Fire of small arms and beating of Drums.

*March 5<sup>th</sup>* Wind the same, a very fine day. 13 Sail of large Ships in Sight. The Galley went out and came to an anchor at the other Side the Bar. Took a walk as far as Simmons Inlet, near five Miles, over a

<sup>1</sup> Gregory Townshend, assistant commissary-general.

<sup>2</sup> New Providence (Nassau) in the Bahamas.

<sup>3</sup> See Eelking, tr. Stone, p. 178.

<sup>4</sup> Lieut. Thomas Gilfillan of Russell's own regiment was an assistant deputy quarter-master-general.



fine hard level Beach. Army waiting for intrenching Tools and Heavy Artillery.

*March 6<sup>th</sup>* Little Wind, rained heavily great part of the Night and most of the Morn<sup>g</sup>. 7<sup>th</sup> Reg<sup>t</sup> crossed from Johns Island and landed on Coles Island. These last five days the Army employed in landing heavy Artillery &c. No part of the army had moved yesterday. The Comet returned into Port last night, which is very extraordinary as she could have got to Stono with great Ease. This Night 2 Batt<sup>s</sup> of L<sup>t</sup> Infantry crossed the Wappoo Bridge on Intelligence that some light Cavalry lay at Church Bridge.<sup>1</sup> The blow prevented by an officers Servant falling in with the Enemy and making a Discovery.

*March 7<sup>th</sup>* Wind S. S. W. very hazy. Got under Way in the Morning with 18 Sail but the Weather proved too thick to proceed. we therefore all came back to our old Ground.

*March 8<sup>th</sup>* Wind the same, a very fine day. We weighed in the Morning with the other Ships, but the Wind was too scant and we returned. Several very heavy Cannon heard today. The Galley sailed at last. explored Tuckers Island again, and found the Tracks of Horses, Cattle, Hogs and Goats, but saw nothing but one Hog and one Horse. A great deal of Rain in the Night. A Batt. of Gren<sup>rs</sup> marched this morn<sup>g</sup> and met the light Infantry Comm<sup>r</sup> in Chief took this Opportun<sup>y</sup> to reconnoitre the country. A Detachm<sup>t</sup> of 71<sup>st</sup> Reg<sup>t</sup> crossed from Coles Island to L. H. Isl<sup>d</sup> with 2 24 p<sup>rs</sup> to enable the Admiral to lay Buoys on the Bar which the Rebel Gallies prevented. Remainder of 71<sup>st</sup> crossed to Light House Island.

*March 9<sup>th</sup>* Wind the Same and very foggy in the Morning. did not attempt to go out. Caught a She Goat big with Kid on Tuckers Island, and saw three Horses there. a great deal of Rain in the Night. 4 Companies of Light Inf<sup>y</sup> crossed the Wappoo and took post at St Andrews Bridge. The Agent alarmed by a report of the Rebels coming from the Main to Edisto Island in quest of Intelligence and with some evil Design ag<sup>st</sup> the Transports. Major General Robinson left H<sup>d</sup> Q<sup>rs</sup> for New York, goes in the Russell 33<sup>d</sup> and Jagers crossed to Hamiltons took Possession of the Bridge of New Cut. The post removed from Stono Ferry to day

*March 10<sup>th</sup>* Wind S. W. a fine breese and fine day. Went out with the Morning's Tide in Company with 19 Sail and were about 4½ Hours running to our Distance off Stono, the opening bearing exactly N. W. which Course leads you clear of the Breakers. 11 feet over the Bar at dead low Water. Our fleet were at Anchor off the Harbour of Charles Town. saw some of the Rebel Vessels at anchor off the light House Island, and several Shots fired from them and our Ships. Weighed again at four in the Afternoon, and got all safe in between John and James Islands at half after Seven. A Battalion of 71<sup>st</sup> Regim<sup>t</sup> with two 24 Pounders placed on the Light House Island to prevent the Rebel Ships from annoying our Men of War when coming over the Bar of Charles Town. Light Infantry, B. Gr<sup>ns</sup> 7<sup>th</sup> 23<sup>d</sup> 33<sup>d</sup> and Jagers crossed the Wappoo

<sup>1</sup> See Moultrie's *Memoirs*, ed. 1802, II. 57.



Bridge under the command of Lt. Genl Earl Cornwallis and Major Gen Leslie and took post at Harveys near the Entrance of Wappoo Cut. 64<sup>th</sup> took post on the ground the B. Gr<sup>s</sup> left. 2 Batt<sup>s</sup> of Hess<sup>n</sup> Gr<sup>s</sup> took post at Perinos to cover the Provisions, &c.

*March 11<sup>th</sup>* Weighed at Seven in the morning and ran up with the Tide to Head Q<sup>rs</sup> at Hudsons or Perino's near the Entrance of Wappoo. Immediately went on shore to the Commander in Chief. Lord Cornwallis and General Leslie advanced with the British Flank Corps and 7<sup>th</sup> and 23<sup>d</sup> Regiments to the Main, four Miles Beyond Wapoo Bridge. Schooners pushed thro' the Bridge to receive some heavy ordnance and stores intended for a Battery to be built to Night at the mouth of the Creek next Charles Town. Colonels Fox<sup>1</sup> and Balfour<sup>2</sup> arrived to day in the Richmond from Cork. they left the Convoy consisting of Victuallers and Oat Ships at Tybee. The Russell and Robuste sailed yesterday to New York. a disagreeable rainy day. Wind South East This Night a Batt<sup>y</sup> was begun on the Pt near Wappoo Cut at Fenwicks Barn.<sup>3</sup> 2 32P<sup>drs</sup> and an 8in. Howitzer mounted before day break Some Rebel Gallies and armed Brigcs cannonaded the Battery, but obliged to sheer off. Battery finished next day and 4 more 32 p<sup>rs</sup> mounted.

*March 12<sup>th</sup>* Wind S. W. very high. The Battery on the Main Side of Wappoo finished last Night and one 32 Pounder mounted, with which the mouth of the Creek was effectually cleared of Gallies and other armed Vessels. You have a fine View from the Generals door of Charles Town, from the Steeples of which everything transacted at Head Quarters may with a good Telescope be distinctly seen. The large Mortar and some Howitzers sent for from S<sup>t</sup> Augustine. 64<sup>th</sup> took post near Head Q<sup>rs</sup> Reg<sup>t</sup> of Huyne took their Ground.

*March 13<sup>th</sup>* Wind N. W. hard Gales in the Morning, but moderate towards Night. landed my Horses. The 63<sup>d</sup> Reg<sup>t</sup> came over from Gibbs's and took Post near the New Cut Bridge. Major Mecan with 120 Men took Possession of a Redoubt near Fort Johnson.<sup>4</sup>

*March 14<sup>th</sup>* Wind N. W. Moderate fine day. Took a walk along Wappoo and had a very good View of Charles Town, Sullivans Island and Fort Johnson. A Battery of two 32 p<sup>rs</sup> and an 8 Inch Howitzer begun a little to the left of the Battery on the Wappoo Cut. The Rebel Ships Seven in Number, with a Brig and a Galley lye under Fort Moutrie. The Guard of the 7<sup>th</sup> relieved for a Serg<sup>t</sup> and 3 Hess<sup>n</sup> Grenad<sup>rs</sup>.

*March 15<sup>th</sup>* Wind N W. a little hazy but afterwards cleared up. A Brig with Provisions and Linnens for private Trade arrived from Glasgow. A Man hanged at Charles Town to day, in Sight of our Lines. Army as Yesterday.

<sup>1</sup> Henry Edward, younger brother of Charles James Fox.

<sup>2</sup> Col. Nisbet Balfour, who executed Hayne.

<sup>3</sup> See letter of Lieut. Col. Laurens to Washington, March 14, 1780, in Sparks, *Corr. Amer. Rev.*, II. 413.

<sup>4</sup> See DeBrahm's journal in Gibbes, *Documentary History*, III. 124. Thomas Mecan was major in the Royal Welsh Fusileers.

*March 16<sup>th</sup>* Wind S. W. Wrote to M<sup>r</sup> McCulloch to buy me a Saddle &c. Two men came in from the Rebels of the name of Hart, one of them a Lieu<sup>t</sup> the other a Cadet in Ourrys Reg<sup>t</sup> of Cavalry.<sup>1</sup> They are both Virginians and have deserted from Bacon Bridge above Dorchester. They report that some deserters are come in from Gen<sup>l</sup> Patersons army who left it 4 days ago at Sheldon about forty Miles from Dorchester, that they consist of 1500 Infantry and 200 Cavalry and were marching Northwards, and that the Rebel Cavalry in that Neighborhood in Number 300 were preparing to move off. That the Defences of Charles Town to the land side are well finished and very strong, and that they are constantly at Work on those to the Water. That they have about 3000 fighting men in the Town, of which 1300 are Virginians, who have arrived since we came to the Province, and that we should have taken a good many of their Troops a few days ago when the General made a move if it had not been for one of our officers servants who gave them Intelligence of our approach.

*March 17<sup>th</sup>* Wind N. E. blows Strong but fair

*March 18<sup>th</sup>* Wind same rains hard. Loyalist arrived from N. York. A Galley, the Germain, and a Schooner with two 18 P<sup>rs</sup> came over the Bar to day to guard the Buoys. The Wind Shifted to N. W. about two oclock noon. The Baron de Marzerne recommended by Duke Ferdinand arrived at Head Q<sup>rs</sup>.

*Mar. 19<sup>th</sup>* Wind N. W. with Rain in the Morning. the Scourge and Viper Gallies passed thro' the Bridge into Wappoo Creek. cleared up about noon and Wind shifted to S. W. Virginia joined the Admiral from N York

*March 20<sup>th</sup>* Wind N. E. a high Tide and fair day. The Admiral with 3 two Deckers 4-32 Gun Frigates and 2-20<sup>t</sup> passed the Bar of Charles Town about 7 in the Morning.<sup>2</sup> Cap<sup>t</sup> Tonkin the agent, came to H<sup>l</sup> Q<sup>rs</sup> from N. Edisto but brought no Ships with him. The Lady Susan Victualler one of the Iris's Convoy arrived. The Admiral sent the Commander in Chief twelve 24 p<sup>rs</sup> with 100 Rounds of Ammunition for each Gun. They fired several Shot from Fort Moutrie this Evening at our Shipping.

*March 21<sup>st</sup>* Wind N. E. fair day. Earl of Caithness<sup>3</sup> arrived in the Virginia accompanied by the Loyalist from N. York with the English Mails for Oct<sup>r</sup> Nov. and December arrived there in the Swift Packet. The Severest Winter at N York ever known, North River and the Narrows frozen over for Carriages and the Frost did not break up before the 20<sup>th</sup> feb<sup>r</sup>. The Rebel Reinforcements of 2600 Men for the Southw<sup>rd</sup> Stopt by the Weather at Trenton, from whence they could not proceed. Great Desertions in M<sup>r</sup> Washingtons Army who were with difficulty supplied

<sup>1</sup> Daniel Horry's South Carolina Dragoons, probably.

<sup>2</sup> So Moultrie, II. 58; Tarleton, p. 10; Admiral Arbuthnot, in Tarleton, p. 48; Samuel Baldwin's diary, *New Jersey Hist. Soc. Proc.*, II. 78. DeBrahm's diary in Gibbes, III. 124, gives the 21st as the date.

<sup>3</sup> William Sinclair, tenth earl.

with Provisions, particularly Bread on Acc<sup>t</sup> of the Mills being all frozen up. Their Magazine burnt at West Point. Several Prisoners to the amount of 400 taken in different Excursions from N York, where above 5000 of the Citizens embodied and armed themselves for the defence of the Place. The Rebel Ships at Sullivans Island moved to Coopers River except the Queen of France, which got on ground and is expected will be lost.<sup>1</sup> Part of the Transports from Tybee arrived.

*March 22<sup>d</sup>* Wind S. W. The Admiral, Sir Andrew Hamond<sup>2</sup> and Cap<sup>t</sup> Elphinstone came to Head Quarters. The Hessian Grenadiers marched over Wappoo. a fair day. Light Inf<sup>y</sup> 33<sup>d</sup> and Jagers took post at the Church Bridge 4 Comps. of L. I. w<sup>th</sup> a party of Jagers took post in the Church over the Bridge; 3 Batt<sup>n</sup> of Hess<sup>n</sup> Gren<sup>s</sup> took post over the Wappoo Cut on the Ground which the L. I. 33<sup>d</sup> and Jagers quitted.

*March 23<sup>d</sup>* Wind S. E. fair but Cloudy. Two Spies of the name of Winter and Stirling taken to day, having landed last night in New Town Cut in order to get Intelligence. One Scot, was with him but escaped. Three Battalions of Hessian Grenadiers moved yesterday over Wappoo to the Ground of a Battalion of light Infantry, which was advanced a few Miles nearer the Ferry. The Commander in Chief went out very early to reconnoitre Ashley River. The Light Corps made a Move towards Drayton Hall The Commander in Chief reconnoitred the River and Country. the light Corps remained near Drayton Hall.

*March 24<sup>th</sup>* Wind S. W. Cloudy, with Thunder and lightning. The Admiral &c. returned, to five fathom Hole The 71<sup>st</sup> joined from the light House Island, the Works on which were dismantled. The remainder of the Transports arrived from Edisto. Hard Gale of Wind with Rain and Lightning in the Night A Batt<sup>n</sup> of Hess<sup>n</sup> Gren<sup>s</sup><sup>3</sup> took post at the Church Bridge. Batt<sup>n</sup> of 71<sup>st</sup> took their Ground. 24 P<sup>rs</sup> sent from l. House Island to the fleet.

*March 25<sup>th</sup>* Wind N. W., S. W. and S. E. fair day. Cap<sup>t</sup> Saunders of the Q. R.<sup>4</sup> who was sent in the Galley in quest of General Patterson returned and reports that the Savannah Army passed at Jacksons Burrough yesterday at 11 oclock and was to be at Stono Ferry this Evening. That Col<sup>o</sup> Tarleton had mounted all his Cavalry, and had cut up a Party of the Rebel Horse the day before yesterday, having killed ten and taken four. That the Rebels had burnt their Galley in the Cuts, and carried the Guns to Charles Town. Cap<sup>t</sup> Pike sent on board the Admiral with the Commander in Chiefs Dispatches for New York and Savannah. The Iris and Hydra arrived from Tybee.

*March 26<sup>th</sup>* Wind N. W. blows strong. Gen<sup>l</sup> Pattersons Brigade and L<sup>t</sup> Col<sup>o</sup> Tarletons Cavalry both from Savannah passed Rantols Bridge from Stono Ferry, where they halted last Night. Cap<sup>t</sup> Evans and some officers of the Navy came up with 75 Flat Boats from the Fleet.

<sup>1</sup> Baldwin, II. 78.

<sup>2</sup> Post-captain; afterwards governor of Nova Scotia.

<sup>3</sup> The Battalion von Linsingen. Elking, tr. Stone, p. 179.

<sup>4</sup> Captain John Saunders of the Queen's Rangers, afterward chief-justice of New Brunswick. Sabine, *American Loyalists*, ed. 1847, pp. 593, 594.

*March 27<sup>th</sup>* Wind N. and afterwards S. W. The Boats passed to Night by Charles Town to Linings 64 march'd over Wappoo in Possession of the Batteries Huynes Reg<sup>t</sup> took their Ground.

*March 28<sup>th</sup>* Wind S. E. Hazy. The Botetourt Treasury armed Ship arrived with the Jan<sup>y</sup> Mail. British Grenadiers Hessian Grenadiers, 7<sup>th</sup>, 23<sup>d</sup> and 71<sup>st</sup> marched and took post near Drayton Hall. Corps under General Paterson marched from Rantols Bridge, S<sup>o</sup> and N<sup>o</sup> Carolina Vol<sup>rs</sup> took post near Linings. Legion mounted and [*illegible*] near Drayton Hall. Head Q<sup>rs</sup> changed from Perinaus to Drayton Hall.

*March 29<sup>th</sup>* Wind S. E. Foggy morning. The Boats passed from Linings to Drayton Hall about 3 in the Morning. When the Fog cleared away the Troops consisting of the British Genadiers and Light Infantry, Hessian Grenadiers, Jagers 200, 7<sup>th</sup>, 33<sup>d</sup> and two Battalions of 71<sup>st</sup> embarked, and the whole with the Field Artillery and Horses were passed over to Fullers House about 13 Miles from Charles Town by 3 oclock<sup>1</sup>, and immediately marched to Ashley Ferry about five miles Head Quarters being at M<sup>r</sup> Bellingers House nine Miles from Charles Town This important event was effected without giving the least Alarm with the Boats, or suffering the least Opposition on our landing or in our March. The 23<sup>d</sup> and the Cavalry masked the Roads in the front of the Embarkation, which when completed they fell back to the cross Roads and the Ferry. The Enemy had three Breast Works thrown up on the Causeway lead<sup>g</sup> to the Ferry which we demolished as soon as we took possession of the Ground.

*March 30<sup>th</sup>* Wind S. E. Hazy, attended with small Rain towards Evening. The Army moved about half after nine in the morning towards Charles Town, in one column, by half Companies an Officer and 30 Jagers advanced, followed by the Commander in Chief, Lord Cornwallis General Leslie and their Suites. Flankers of Jagers on each Side. The remainder of that Corps followed immediately after. Two Battalions of Light Infantry next. Brigade of British Grenadiers followed them and the Hessian Grenadiers brought up the Rear. The 7<sup>th</sup>, 33<sup>d</sup> and 71<sup>st</sup> Regiments formed the Corps de Reserve and covered the Baggage. About a Mile beyond the Governors Gate two miles and half from Charles Town an advanced Picquet of the Enemy fired out of a wood on the left of the Line of March upon the Avant Guard and the General Officers,<sup>2</sup> when Lord Caithness who attended the General was unfortunately shot thro the Body. The firing growing brisker the Jagers pushed up and spread, and the Light Infantry advanced and formed as fast as they came up. The Enemy immediately fell back but kept up a considerable fire from behind the Trees which was answered from our light Troops. it continued from  $\frac{1}{4}$  before twelve oclock to about a quar-

<sup>1</sup> Clinton, in Tarleton, p. 38; Stedman, p. 177; DeBrahm, in Gibbes, III. 124; Baldwin, p. 80; Woodford, Lincoln and Laurens to Washington, in Sparks, *Corr.*, II. 431, 433, 435; Lincoln to Washington, July 17, 1780, in *Charleston Year-Book* for 1897, p. 375.

<sup>2</sup> Laurens's skirmish; De Brahm, in Gibbes, III. 124.

ter after, when the hottest of the firing Ceased, and gradually died away to an Exchange of Shot at a considerable distance, from the advanced Centries. One Jager only was badly wounded on this Occasion. The army encamped in the Evening in three lines extending from one Side of the Neck to the other. The light Infantry and Jagers the first, about 1600 y<sup>ds</sup> from the Enemys first line, Brigade of B Grenadiers the 2<sup>d</sup> 300 y<sup>ds</sup> in their rear with H<sup>d</sup> Q<sup>rs</sup> at Williams on their right. The Hessian Grenadiers some distance behind them, and Col<sup>o</sup> Webster w<sup>th</sup> the 7<sup>th</sup> 33<sup>d</sup> and 71<sup>st</sup> 2 Bat. formed the 3<sup>d</sup> being faced outwards to cover the Camp from an attack from the Country. About  $\frac{1}{2}$  after four their Galley had got up and began firing on our left flank, but without any effect being at too great a Distance. about the same time Two Battalions of the Rebels with two field Pieces advanced rapidly from their Works and attacked a little Redoubt in our front occupied by 20 Jagers, who finding themselves not supported and having no bayonets retired with the Loss of two Jagers slightly wounded and one missing (who was afterwards found murdered inhumanly in the Woods) the Enemy were however drove out of the work very soon after by a Six Pounder which was run up from the right for this purpose.

*March 31<sup>st</sup>* Wind S. E. hazy and rainy part of the day rest very hot. Employed in getting ashore the artillery and frames for Batteries.

*April 1<sup>st</sup>* Wind N. W. A Very strong Gale of Wind in the Night attended with a sharp Frost A very strong working party of 1500 covered by 1500 more pushed out at Sun Set from our left to within 1000 Yards of the enemy's first Line, where three Strong Redoubts were thrown up in the night without Molestation or being perceived by the Rebels, under Cover of the light Infantry who were advanced to within 500 yards of the Enemys works on the Charles Town Road.<sup>1</sup> at day Break they fell back to the Redoubts, where they took post. Some Shots were fired at our Works at daylight, but no other Obstruction was given. The Commander in Chief and General Officers lay all night at the Head of the Reserve.

*April 2<sup>d</sup>* Wind S. W. a fair day. The Rebels pretty quiet to day and by their hurrawing appear to be Dragging up Cannon. British and Hessian Grenadiers in the Trenches to night. Another Redoubt thrown up to the right of the road, but not entirely finished. Several Cannon landed in the Course of the day. Major Grahams<sup>2</sup> light Infantry passed the Ashley last night and took post near the light Infantry Camp.

*April 3<sup>d</sup>*. Wind N. E. dark and hazy. The Rebels kept up a considerable fire from their Works and one Ship they had brought up Some Negroes came in from Charles Town and Report that the Enemy have received a Reinforcement from N Carolina within these two days, that they lost one Captain a Subaltern and seven privates killed and 30 wounded

<sup>1</sup> Clinton, in Tarleton, p. 39; Stedman, p. 178; Andrew Sherburne, p. 27, 2d ed.; journal in Moultrie, II. 66; Baldwin, p. 81. Lincoln is apparently wrong in putting this a night earlier. Sparks, *Corr.*, II. 433, *Year-Book* for 1897, p. 375.

<sup>2</sup> Major Charles Graham, of the 42d (Royal Highland) Regiment.

on the 30<sup>th</sup> ult<sup>o</sup>. In the Course of the day the Rebels fired near 300 Shot and 30 small Shells, but did no manner of Injury. It rain'd very hard in the Night. another Redoubt erected on the left of the Parallel within 400 y<sup>ds</sup> of the Enemy<sup>1</sup>

*April 4<sup>th</sup>*. Wind S. W. in the Morning and N. W. in the Evening. A very heavy Cannonade kept up all the Morn<sup>g</sup> against our Redoubts from the Town and two Frigates who moved up the Town Creek to enfilade the Redoubt erected last night by which one man of 33<sup>d</sup> was killed, two 24 P<sup>ds</sup> run to the left, a shot from which taking place in one of their Ships that annoyed us most drove them down the River again, and they came to an Anchor off Hobcaw Ferry. Two Rebel Dragoons came in with their Horses from Goose Creek they belong to Baylors light Horse One officer of the 42<sup>d</sup> wounded, two Hessian and one Grenadier of 71<sup>st</sup> deserted. The Legion Cavalry and Infantry passed over and took post about four Miles in our Rear at the Q<sup>r</sup> House Five Redoubts and our communication between the Redoubts strengthened. Battery of five 24<sup>s</sup> will be finished to Night My Mare foaled today.

*Apr<sup>l</sup> 5<sup>th</sup>*. Wind N.W. in the Morning, afterwards easterly. The firing not so frequent in the Morning as yesterday, but increased in both Shot and Shells toward evening, when the Gallies advanced from Wappoo and fired into the Town<sup>2</sup> as did the Battery within the Creek, where the 64<sup>th</sup> are, which put an immediate Stop to the Enemys Cannon. The Convoy for New York from Tybee appeared off the Harbour and came to an Anchor. Cap<sup>t</sup> Collin, 3 Subalterns and 53 of the Royall Artillery, who were saved out of the Russia Merch<sup>n</sup> arrived from Bermudas. Lieut<sup>t</sup> Grant of the 42<sup>nd</sup> wounded. A new Redoubt thrown up this night between N<sup>os</sup> 1 and 2. Two more Grenadiers from 43<sup>d</sup> and 7<sup>th</sup> deserted. The Enemy's two frigates hauled over to the other Side of the Cooper. another Redoubt finished, which completes the first Parallel. The Legion went foraging today.

*April 6<sup>th</sup>*. Wind N. W. The Enemy's Batteries were pretty quiet all the morning, but began again about 3 in the afternoon; and fired Shot and Shells the whole Night, whilst we were employed in dragging Cannon to the Battery, in which however we made but a poor Progress on account of the Badness of the Roads.

*April 7<sup>th</sup>*. Wind N. W. in the Morning, about noon East and by South. A Reinforcement of Troops came down from Wando to Charlestown in two Brigs and 9 Schooners—supposed about 800 men under General Woodford A Feu de Joie fired from their Lines and 3 Huzaas in Consequence.<sup>3</sup> Major McLeroth reported that his firing the other Night knocked down part of the Work, destroyed many of the platforms, and broke the Carriages of several of his Guns in the Battery at Wappoo.

<sup>1</sup> Baldwin, p. 81; Lincoln, p. 433; De Brahm, p. 125.

<sup>2</sup> Baldwin, *ibid.*; De Brahm, *ibid.*

<sup>3</sup> So Woodford to Washington, in Sparks, *Corr.*, II. 431, and Baldwin, p. 81. This date must be accepted, though the diaries in Moultrie, II. 67, and Gibbes, III. 125, give April 6.



*April 8<sup>th</sup>* Wind S. E. dark hazy day and a fresh Breeze. About ten minutes before 4 in the afternoon, about the last of the Ebb, The Admiral in the Roebuck, accompanied by the Richmond the Romulus, Raleigh, Virginia, Blonde Sandwich and Renown, weigh'd and proceeded to Fort Johnson passing within 800 y<sup>ds</sup> of Fort Moutrie where they have about Twenty 42 Pounders. They were just one Hour and 16 Minutes under the fire of Sullivans Island before the Whole passed, without receiving any other damage than the Loss of the Richmonds foretopmast, and 7 killed and 18 wounded in all the Ships. The wind Shifted to the S. W. with Rain in a little time after they came to an Anchor. The Rebels fired but 3 or 4 Shots from the Town towards our Works, whilst our fleet was passing and ceased giving us any further trouble for the rest of the Night, during which we threw up another 10 Gun Battery. 4 more Guns drawn up in the Course of the night. The Æolus Transport got ashore in passing and was burnt.<sup>1</sup>

*April 9<sup>th</sup>* Wind S. W. fair Day. The Rebels in Town very quiet, not above three Shot fired. Several of their Boats, and some very large observed passing the Cooper loaded with Goods and Passengers. Some say they saw Troops and field artill<sup>y</sup> in them, so that we have every reason to fear they are preparing either to evacuate the place or capitulate. The Blonde Raleigh and Sandwich weigh'd from Fort Johnson this morning and took a Position within half Musket Shot of Shutes Folly. The Admiral and Sir Andrew Hammond came to H<sup>d</sup> Q<sup>rs</sup> another Battery erected within 450 yards of the Rebel Lines.

*April 10<sup>th</sup>* Wind N. W. fair Day. The Rebels fired but few Shot in the Morning. however a man of the 42<sup>d</sup> light Infantry was killed by a Shell in the Trenches. Major Crosbie, the Generals first Aid de Camp, was sent to the Town about Sun Set with a Summons, and after being detained an hour brought back an Answer from Gen<sup>l</sup> Lincoln that Duty and Inclination pointed to the propriety of supporting the Town to the last Extremity.<sup>2</sup> Soon after his Return the firing upon our Works recommenced with some Vigor, but their Guns appear to be only Nine Pounders. We got 14-24 P<sup>rs</sup> mounted last night, and another Battery thrown up

<sup>1</sup> This helps to fix upon the eighth as the date of this operation, a date about which there have been singular discrepancies. For the eighth we have Captain Russell's diary, that of Samuel Baldwin, in the *Proceedings of the New Jersey Historical Society*, II. 82, Sir Henry Clinton's report in Tarleton, p. 39, the letters of Lincoln and Laurens to Washington, in Sparks, II. 434, 436, the manuscript journals cited by Lowell in his *Hessians*, p. 247, the journal of De Brahm, in Gibbes, III. 125, and the letter of W. Croghan to Michael Gratz, dated April 8, in Gibbes, III. 130. On the other hand Admiral Arbuthnot himself, (in Tarleton, p. 49), Ramsay, II. 51, Tarleton, p. 11, Stedman, p. 180, and Ewald, give the date as April 9. But perhaps none of these was an eye-witness except Arbuthnot. Moutrie in a letter dated April 8, II. 63, and in the journal which he quotes, II. 67, makes the date the seventh. The date April 7 might also be inferred from Woodford's letter to Washington, in Sparks, II. 441; but the context would seem to show that that letter is misdated, and that "yesterday" means the 8th. On the whole the weight of first-hand evidence is for April 8.

<sup>2</sup> The documents are given in Tarleton, pp. 56-58; in Ramsay, II. 399, 400; and in the *Charleston Year-Book* for 1897, pp. 379, 380.



between Nos 3 and 4. Lieut Fitzroy Aid de Camp to Lord Cornwallis was slightly wounded with a Cannon Ball in the Trenches. They have now fired at us above 4000 Shot and Shells from which only two Lives have been lost and about five men wounded. A Deserter came in from Cha<sup>s</sup> Town belonging to Woodfords Brigade, about 800. They march'd from Trenton last Christmas and arrived at Charles Town the 7<sup>th</sup> Inst he says they brought with them 13 or 14 Pieces of Cannon, which are expected every hour under the Escort of 300 Men.

*April 11<sup>th</sup>* Wind N. W. in the Morn<sup>g</sup> afterwards S. W. The Admiral and Sir Andrew Hamond returned over the Ashley accompanied by the Commander in Chief. Not many Shots fired by the Rebels in the Course of the day. Began second Parallel.

*Apr<sup>l</sup> 12<sup>th</sup>* Wind N. E. with Rain. The 23<sup>d</sup> Regiment crossed to day, and the Mail from England came up from the Dashwood Packet. The Bags had been all opened before it came to H<sup>d</sup> Q<sup>r</sup>. Two Deserters came in our loss as yet not exceeding 12 Men Killed and wounded Batteries all ready this night.

*Apr<sup>l</sup> 13<sup>th</sup>* Wind N. E. disagreeably cold. We opened our Batteries consisting of 24 — 24 Pounders several Howitzers mortars and Cohorns from 10 to 5½ Inches the fire from which continued very brisk all day and night.<sup>1</sup> An Artillery Man killed and another wounded by one of our Guns in consequence of carelessness in not stopping the Vent. Col<sup>o</sup> Webster with the 33<sup>d</sup> Legion mounted and dismounted Detachment of 17<sup>th</sup> Dragoons. Fergusons Corps and N. Carolina Volunteers marched to Goose Creek Bridge and passed to the other side of Strawberry ferry.<sup>2</sup> The 64<sup>th</sup> crossed over to this Side from Linings.

*Apr<sup>l</sup> 14<sup>th</sup>* Wind N. E. fair day. The Enemys Batteries effectually silenced by our superior fire, and the Jager redoubt pushed so near their Works that not a Man dare shew himself above the Parapet for our Rifles<sup>3</sup> the 64<sup>th</sup> marched to Strawberry. Col<sup>o</sup> Tarleton surprised the Enemys Cavalry and took near 220 Horses and 70 Dragoons and Militia, w<sup>th</sup> above 40 Wagons<sup>4</sup> The 64<sup>th</sup> marched to join Col<sup>o</sup> Webster at Strawberry our Jagers posted in the advanced work, and kept the Rebel fire pretty well under by firing into the Embrasures and thereby preventing their loading.

*Apr<sup>l</sup> 15<sup>th</sup>* Wind N. E. fair day. The Rebels have got Sand Bags on their Parapets, which cover their Musquetry<sup>5</sup> and have opened more Batteries. The 13½ Mortar arrived from S<sup>t</sup> Augustine. A very considerable fire of Musquetry from the Rebels all night upon our approaches, which were pushed by Sap from the right and left of our Works to within 250 yards of those of the Enemy; Our Batteries also expended a great deal of Ammunition.

<sup>1</sup> Diaries in Moultrie, II. 70, and Gibbes, III. 126.

<sup>2</sup> Tarleton, pp. 15, 16.

<sup>3</sup> Baldwin says, under the same date, p. 84, "No mischief has been done by their firing except wounding one man."

<sup>4</sup> Affair at Monk's Corner, Tarleton, pp. 15-17; Stedman, p. 183; Ramsay, II. 53, 64.

<sup>5</sup> See Moultrie, II. 85, second note.

*Ap<sup>l</sup> 16<sup>th</sup>* Wind N. E. fair day but Cold. A Rebel Galley came up the Cooper and anchored within 1000 Yards of the Hosp<sup>l</sup> against which they fired two 24 P<sup>rs</sup> for several Hours, without doing any other Mischief than wounding a Horse.<sup>1</sup> The Sap pushed very forward both on right and left. Two Deserters came in, who report that the Enemy have had only two Men killed and two Guns dismounted by our Cannon, which after striking their Works pass over them into the Town. The Prisoners and some Wagons arrived from Col<sup>o</sup> Webster.

*Ap<sup>l</sup> 17<sup>th</sup>* Wind N. E. fair day. An Empty 13 Inch Shell thrown into the Town to shew them what we had in our power to do. The Enemy appear to be very busy at Hobcaw, where they had a Battery and some works, as if they were going to abandon it. The Galley remains

*Ap<sup>l</sup> 18<sup>th</sup>* Wind N. E. Dark cloudy day with Rain at times and very cold. Col<sup>o</sup> Balfour marched with 23<sup>d</sup> Reg<sup>t</sup> to take post at Biggins Bridge in order to communicate with Col<sup>o</sup> Webster. The New York Fleet under the Convoy of the Rainbow arrived this morn<sup>g</sup> off Charles Town Bar, hav<sup>g</sup> on board the 42<sup>d</sup> Queens Rangers Prince of Wales Volunteers, Volunteers of Ireland, and the Hessian Regiment of Ditforth, contain<sup>g</sup> 2500 Effective men.<sup>2</sup> Blows hard from N. W with Rain.

*Ap<sup>l</sup> 19<sup>th</sup>* Wind N. E. a Gale of Wind in the Morning but more moderate in the afternoon at N. W. M<sup>r</sup> Gordon arrived with the Dispatches from the York fleet. 3 Men killed and 3 wounded in the Trenches, five Sailors wounded on board the Galley whilst they were joining the Admiral from Wappoo.<sup>3</sup> The Rebel Shot from the Town reached as far as Fort Johnson. Our Left Sap pushed to Night within 100 Yards of the Ditch.

*Ap<sup>l</sup> 20<sup>th</sup>* Wind N. W. blows strong a Man killed by a Shell and a Jager by a twelve pound Shot. A Deserter came in from the Town who reports that a woman from the Country brought thither a Report that Col<sup>o</sup> Webster was within three miles of the Bridge going to Fort Sullivan, and had had a Brush with the Rebels in Christ-church Parish and had taken several Pieces of Cannon. He also says there are two Parties in the Town one for surrendering the Place, the other for effecting the Escape of the Army, who he believes are preparing to go off. very little firing this afternoon from either Side, and scarce any from the Enemy the whole Night. The Sachem of the Creeks arrived at H<sup>d</sup> Quarters.

*April 21<sup>st</sup>* Wind S. W. fair day moderate. No firing all the morn<sup>g</sup>. at 12 oclock a Flag came in from the Enemy, with a Letter from General Lincoln addressed only to the Commander in Chief desiring a Cessation of Hostilities for 6 Hours, and that he was willing to treat for the Surrender of the Town if he could obtain Terms honorable to the Army and Safe to the Inhabitants. The Truce granted for the time asked, and permission asked and given for an Aid de Camp to carry their Pro-

<sup>1</sup> De Brahm, in Gibbes, III. 126.

<sup>2</sup> Clinton, in Tarleton, p. 41.

<sup>3</sup> Baldwin, pp. 85, 86; De Brahm, p. 126.

posals to the Admiral, who returned with Major Crosbie, and after a Consultation held between him, the General and Lord Cornwallis on another Letter from Gen<sup>l</sup> Lincoln which arrived at seven in the Evening, an answer was sent by Cap<sup>l</sup> S<sup>t</sup> George, who brought back Gen<sup>l</sup> Lincolns Refusal of the Terms offered.<sup>1</sup> Hostilities therefore recommenced on both Sides about a quarter before eleven at Night. The Anna Theresa Packet arrived to day from the West Indies with news that a Supply of Ammunition from Major Gen<sup>l</sup> Vaughan<sup>2</sup> would be sent under Convoy of the Guadaloupe. began the third Parallel.

*April 22<sup>d</sup>* Wind S. W. fair day. The Admiral &c returned. The Queens Rangers and Vol<sup>ts</sup> of Ireland came over to this Side. The Keppel Brig returned in seven days from S<sup>t</sup> Augustine with 3000 24 p<sup>d</sup> Shot. A considerable Fire kept up on both Sides the whole day and Night. Two Men killed by the Rebel Musquetry in the advanced Sap. A Letter arrived from the Admiral. L<sup>t</sup> Gov<sup>r</sup> Graham<sup>3</sup> and M<sup>r</sup> M<sup>r</sup> Cullogh arrived from Savannah. The Rebels had the Insolence yesterday to ask Liberty for all their Troops to march out of the Town with every Military Honor and retire where they pleased. The French Troops of which there are 900 to be transported to Cape Francois, where also the French Ships should have leave to go to, and the Continental Frigates to the Delaware. The Hospital to be taken Care of at the Kings Expense, and the Inhabitants Secured in their property, which being rejected, they sent a Verbal Message, they would deliver up the Town upon no other Terms, upon which our Batteries immediately opened. 2 Men killed and three Wounded in the Trenches to Night. The 42<sup>d</sup> came over to this side.

*April 23<sup>d</sup>* Wind S. W. fair day and very hot. A Letter this Morn<sup>g</sup> from Colonel Webster that he was to be at Cain Hoy last night. all was well and everything the General wished accomplished. the Welch Fuzileers to join him Yesterday, but stopped by order until relieved by the Queens Rangers who marched this Morning to the Quarter House and the Volunteers of Ireland, N. York Volunteers and Carolinians pass over the Cooper to Night under Lord Cornwallis, who takes the Command of the whole on that Side, and it is supposed will soon be Master of all the Enemys Communications and means of Escape by Land. Captain Tonkin goes with some armed Vessels to Spinner's Inlet. Two men killed by Musquetry and L<sup>t</sup> Freeman of 64<sup>th</sup> wounded to day. The Sap pushed close to the Ditch, within Sixty Yards of the Enemys Works.

*Ap<sup>l</sup> 24<sup>th</sup>* Wind S. W. fair day The Rebels made a Sortie this Morning a little before daylight and attacked the left Sap, where they killed some, took one Jager and eight of the Line, and wounded a few more. I fear our Covering Troops were asleep or not so attentive as they ought.<sup>4</sup>

<sup>1</sup> Documents in Moultrie, II. 73-78, and in *Charleston Year-Book* for 1897, pp. 357, 358, 380-383.

<sup>2</sup> At this time commander-in-chief in the Leeward Islands.

<sup>3</sup> John Graham, Loyalist, lieutenant-governor of Georgia.

<sup>4</sup> Lieut. Col. Henderson's sortie. Moultrie, II. 78, 79; Ramsay, II. 55; Gibbes, III. 127, 132.

General Paterson and 63<sup>d</sup> Reg<sup>t</sup> passed over to day. The Admiral sent the General word that at 10 o'clock today some Frigates and Gallies would pass into the Cooper. Orders were sent accordingly to the Batteries to fire Shells, red Shot and Carcasses towards the Wharfs of the Town as soon as their Attack began upon our Shipping, but no attempt was made notwithstanding.

*Ap<sup>r</sup>l 25<sup>th</sup>* Wind S. W. a fair day and very hot. About 1 o'clock in the Morn<sup>g</sup> a most tremendous Fire of Cannon Shells and Musquetry commenced from the Trenches and the Rebel Works and continued about half an Hour. it proceeded from an Alarm being given by our working Party who were running their Sap to the Ditch, that the Enemy were making a Sortie, but it proceeded no further than their forming behind their first abbatiss. an Ensign M<sup>c</sup>Gregor of the 71<sup>st</sup> was killed, Cap<sup>t</sup> M<sup>c</sup>Cloud of the 42<sup>d</sup> was wounded, three killed and 15 wounded on this Occasion. It is feared that our Troops in the right Trenches fired on our working Party, mistaking them upon their hurrawing (which was the Signal they were ordered by Gen<sup>l</sup> Kospoth to give on the approach of an Enemy, and retire to their Arms) for the Rebels. The whole Line was under Arms but returned to their Tents about two o'clock.<sup>1</sup>

*April 26<sup>th</sup>* Wind W. S. W. a very hot day. Ensign Cameron of 71<sup>st</sup> wounded. three Men killed and as many wounded to day. Several Deserters, both soldiers and Townsmen came in. They all agree in reporting that most of the Continental Troops have been withdrawn from Fort Sullivan. The Troops have rec<sup>d</sup> orders not to fire Musquetry at Night without particular Orders.

*Ap<sup>r</sup>l 27<sup>th</sup>* Wind N. E. excessive cold. rained a good deal last night

*April 28<sup>th</sup>* Wind N. E. afterwards S. E. fair day, but cold in the Morning. Rec<sup>d</sup> an Acc<sup>t</sup> from the Admiral that Lord Cornwallis appeared on M<sup>t</sup> Pleasant the Morning of the 26<sup>th</sup> <sup>2</sup> when the Rebels abandoned a little Work there, where they had one eighteen Pounder. that his Lordship afterwards reconnoitred Lampreys, but thought it too strong to be carried by a Coup de Main, and he accordingly marched towards Wap-pataw at one in the Morning. The Admiral therefore yesterday Evening landed about 500 Sailors and Marines with an Intention of throwing up a work upon Mount Pleasant, but his Guard Boats having in the Night taken a Schooner with about 80 French and Continental Troops, part of the Garrison at Lampries, who informed him that the Rebels were retiring from that Post, This Marine Detachment marched thither this morning and finding the Works abandoned took Possession of them. They found there 4—18 p<sup>rs</sup> and four 4 p<sup>trs</sup> and about 50 Convalescents in the Hospital. We therefore had the Pleasure to see the British flag flying there about three in the afternoon. Our Troops employed in Completing the third Parallel and advancing Cannon into the Batteries of it.

*April 29<sup>th</sup>* Wind S. E. blows fresh, but nothing attempted to come

<sup>1</sup> An explanation is to be found in Moultrie, II. 79, 82.

<sup>2</sup> Or afternoon of the 25th, Moultrie, II. 79.

into the Cooper. One of the Gallies, the Comet, got on ground yesterday in the Hog Island Channel and was sunk by the Rebel Shot from a field Piece which the Rebels run out to M<sup>t</sup> Pleasant from Sullivans Island after Lord Cornwallis had left it.

*Apr<sup>l</sup> 30<sup>th</sup>* Wind S by W. blows excessive hard. five Sailors deserted to us from a Rebel Galley. Some Men killed and wounded to day. No Move of the ships yet. Third Parallel finished.

*May 1<sup>st</sup>* Wind S by W. very high. 2 Bucks County, 2 Legion and 1 Pioneer who had been Prisoners in Charles Town, deserted from thence this Morning by Swim<sup>g</sup>. a five Gun Battery close to the Ditch and opposite to the Gate finished this evening. The Guns all up, one mounted, and the rest ready. The Ditch drained to Night, and the left Sap carried into the Ditch. Ferguson's Corps took Possession of Lamprieres. The Rebels fired a great deal in the Beginning of the Night, and they frequently fire ragged Pieces of Iron, broken Bottles &c. old Axes, Gun Barrels, Tomaw Hawks &c. A Prize Sloop fitted up at the Ship Yard with 2 eighteen P<sup>rs</sup> and four 4 P<sup>rs</sup> under the Command of M<sup>t</sup> Buchanan of the Perseus. No Move of the Ships yet, and I fancy the Admiral has given over all thoughts of entering the Cooper.

*May 2<sup>d</sup>* Wind W. by S. blows fresh. a great deal of firing all day and part of the Night from the Rebel Batteries. some Deserters came in. The 64<sup>th</sup> ordered from Lord Cornwallis to this Side, and part of them crossed to night from Scots.

*May 3<sup>d</sup>* Wind S. W. very hot. The remainder of the 64<sup>th</sup> came over.

## REVIEWS OF BOOKS

*The Religion of Babylonia and Assyria.* By MORRIS JASTROW, JR., Ph.D., Professor of Semitic Languages in the University of Pennsylvania. (Boston : Ginn and Co. 1898. Pp. xii, 780.)

THE publication of a series of handbooks on the history of religions is one of the many proofs of the growing interest in this study. The series of which the present volume is one is intended especially for use in college and university classes. The first of these handbooks to appear was that by Professor Hopkins, of Yale, on the *Religions of India*. The present work is the second volume, and the author, Professor Jastrow, is also the general editor of the series.

The task of writing at the present time a handbook of the religion of Babylonia and Assyria was one of peculiar difficulty, because the study of Assyriology, as the deciphering and interpretation of the cuneiform texts is called, is a comparatively recent thing, and the changes in our knowledge, or sometimes our supposed knowledge, of Assyria and Babylonia have been frequent and often startling, owing to the continuous discovery of new material. At the present moment at least two important expeditions are at work in Babylonia, and the discoveries which they will make may fairly be expected to add very largely to our present stock of knowledge, if not to change materially many of the views now held. In addition to this, there is, in the museums of Europe and of this country, an immense amount of inscribed material from Babylonia which has not yet been thoroughly worked over. Furthermore, it must be said that Assyriologists have shown a marked inclination to present astonishing theories, and, so to speak, to claim everything in sight, which often renders it difficult to use satisfactorily the material actually published.

It was with considerable curiosity that we opened this book, wondering how, in view of the tentative condition of our knowledge in many matters, the author would deal with his subject ; and we laid it down with the conviction that Professor Jastrow had guided his bark with remarkable skill through the narrow and dangerous passage between the Scylla of wild speculation on the one hand, and the Charybdis of knownothingism and uncertainty on the other. He appears to have shown sound judgment in picking out what is really known, and so arranging and coordinating that material as to present an intelligible and coherent picture of the religion of Babylonia and Assyria. The matter is not presented with any particular charm of style—rather the contrary—nor with that plausibility which sometimes carries one away contrary to one's better judgment ; but there is an effect of sober good sense and sound learning,

( 502 )

which makes the reader feel that what is here set down may be accepted, and that it is not a mere spinning of hypotheses to be torn to pieces by the next newest discovery. Rather, we seem to have the framework of a good, solid building, which future discoveries will only wall in where walls are still lacking, and furnish where it is still unfurnished. The author is quite frank in pointing out what is not known or uncertain, and this very frankness helps to make the reader rely upon his statements where he does claim to know. There is nowhere in the book that cocksure attitude which Assyriologists seem somewhat prone to assume.

After an introductory chapter on "Sources and Methods of Study," and a second on "The Land and the People," Professor Jastrow introduces us to the old Babylonian Pantheon. Starting "with that phase of religious beliefs known as Animism, which has been ascertained to be practically universal in primitive society," and pointing out that the "Babylonian religion in the oldest form known to us may be best described as a mixture of local and nature cults" (p. 48), he then takes up, one by one, the names of gods found in the oldest inscriptions, from Tello and Nippur, and traces through some two hundred pages the development and modification of this Pantheon. We have first the gods prior to the days of Hammurabi; then we have the Pantheon as reconstituted when Babylon became the leading city of the country under Hammurabi; next, the Pantheon as it showed itself in the period of Assyrian supremacy; and finally the Pantheon in the neo-Babylonian period, under Nebuchadnezzar and his successors. At first, it must be confessed, this seems to be tedious and unprofitable reading (and we are still inclined to believe that it might be compressed with advantage). There is a chaos of vague and repetitious gods, all singularly alike, except for the differences of their unpronounceable names. But little by little, if the reader persists, he will begin to realize that there is a development in the conceptions of these gods. The chaos of fragments of half-known gods begins to show signs of intelligible arrangement; you find evidences of reflection; theological ideas begin to make themselves felt; and before long you are experiencing something of the joy of the excavator in an ancient Babylonian mound, when he realizes stratification in the material which had at first seemed to him absolutely chaotic. Gradually what was at first so tedious becomes actually fascinating, as you see how political influences affect the conceptions and relations of the gods, how the predominance of the city of Babylon and the establishment there of a great empire, controlling all the small states, brings about this simplification of the Pantheon and its re-arrangement around Marduk, the great god of the capital city. Professor Jastrow sums this up in the concluding chapter of the book where he says (p. 691): "The centralization of political power and of religious supremacy is concomitant with the focussing of intellectual life in Babylon. The priests of Marduk set the fashion in theological thought. So far as possible, the ancient traditions and myths were reshaped so as to contribute to the glory of Marduk. The chief part in the work of creation is assigned to him. The storm-god En-lil is set aside to make room for the solar diety Marduk."



After the chapters which discuss the nature and functions of the gods of Babylon and Assyria in the different periods, follow chapters on "The Religious Literature of Babylonia," "The Magical Texts" (one of the most interesting chapters in the entire book), "The Prayers and Hymns," "Penitential Psalms," and "Oracles and Omens." These chapters deal with the development of ritual and its application to the needs of life. How is man to be protected against the evil influences and the evil spirits which surround him? How is he to be saved from sin and its consequences? What is sin and how is he to know the will of the gods, to disobey which is sin? How is he to be guided in the way of righteousness and prosperity, and how shall he be warned against the calamity which lurks in his path? It is the object of religion to care for these things, and these chapters show the way in which Babylonian priests and theologians conceived that this should be done. We have here a development from the times of unreflecting folk-religion on to the stage of theological thought and reflection. These texts show us something of the same sort of development which we find in the law-books of the Hebrew scriptures. They were finally shaped by the priests in the temples, but they contain much that originated in the period of folk-religion. It is interesting to observe that Professor Jastrow fixes the time of the formulation of the ritual, in the shape in which it has practically come down to us, in the period of Hammurabi and his immediate successors (about 2200 to 2000 B. C.). They reshaped and adapted it to the theological views of their time, and to the new religion, if one may so call it, of Marduk. The changes which took place after that are of minor importance.

Next follow chapters on "The Cosmology of the Babylonians" and the closely connected subject of astrology. "The Gilgamesh Epic" is treated in considerable detail, and is followed by a chapter on "Myths and Legends." Then comes an important and interesting discussion of "The Views of Life after Death," and then, at still greater length, a description of "The Temples and the Cult." This last chapter seems to us less satisfactory than those which precede it, presumably because, in spite of recent excavations, we are not yet in a position to reconstruct the Babylonian temples with any degree of detail, and our knowledge of the cult is extremely vague.

It is noticeable that Professor Jastrow is not carried away with that excess of enthusiasm which often leads a writer to become a partisan of his theme. In the concluding chapter, which gives a general estimate of the religion, he says (p. 696): "From the standpoint of religious doctrine, accordingly, the religion of Babylonia and Assyria does not occupy a unique position. In this respect, the Egyptian religion reaches a higher level." And on the same page, speaking of the tendency toward monotheism in the religions of the Babylonians and Assyrians, on which undue stress is often laid, he says: "No decided steps in this direction were ever taken. Both in the south and in the north, this tendency is but the expression of the pre-eminent rank accorded to Marduk

and Ashur, respectively. The independent existence of two heads in the combined pantheon was sufficient to prevent the infusion of an ethical spirit into this monotheistic tendency; and unless a monotheistic conception of the universe is interpreted in an ethical sense, monotheism (or monolatry) has no great superiority, either religiously or philosophically, over polytheism." In the same chapter he points out the influence of Babylonian religion upon both Judaism and Christianity. In regard to the former he maintains that while the "stimulus to religious advance came to the Hebrews from the ancient centres of thought and worship in the Euphrates valley," on the other hand "degrading tendencies, too, found an entrance into post-exilic Judaism through Babylonian influence. Close contact of Jews with Babylonians served to make the former more accessible to the popular beliefs in incantations and the power of demons than they would otherwise have been." Christianity was directly affected by Babylonian influences, as well as indirectly, through Judaism, and the direct influences which came to Christianity from the Babylonian religion were all bad, inasmuch as they came from the period of its decay. Gnostic Professor Jastrow regards as a survival of the religion of Babylonia under the mask of Christianity.

Professor Jastrow is conservative not only with regard to the very ancient dates now assigned to Babylonian antiquity, but also with regard to the influence of the Babylonian religion and culture upon China and Egypt, which are so positively asserted in some quarters. On the other hand, while thus wisely cautious, he does not fail to make clear the great debt which the world of thought owes to Babylonian culture, as well in the field of religion as in that of art and science.

As this is a handbook for study, the author has provided a very thorough bibliography of his subject, covering over thirty pages, and divided for greater convenience of use under some nine different subtitles. The index covers more than forty pages, but even then it is not complete, as we have found in our endeavor to look up certain things.

Space does not permit the criticism in detail of the passages which we had marked for that purpose. In a few places we noted curious little errors, which may possibly be due to faulty proof-reading, like the half-consistent substitution of "capitol" for "capital" in a number of chapters. But these are small matters. The book is a valuable contribution to the comparative study of religions.

JOHN P. PETERS.

*Jewish Religious Life after the Exile.* By the Rev. T. K. CHEYNE, M.A., D.D., Oriel Professor of the Interpretation of Holy Scripture at Oxford, Canon of Rochester. [American Lectures on the History of Religions, Third Series, 1897-1898.] (New York and London: G. P. Putnam's Sons. 1898. Pp. xxii, 270.)

THE literature of the Jews in the Persian and Greek periods has long been with Professor Cheyne a subject of special study, the fruits of which

are embodied in a series of volumes on Isaiah, the Psalms, and the Wisdom Books, and in numerous articles in current periodicals. These lectures are thus "a provisional summing up of a series of special researches" (p. xxi), and as such, although primarily addressed to a popular audience, claim the attention of historical students.

The first two lectures are devoted to the history of the restoration. On the questions which have been so much discussed since Kusters challenged the generally accepted views, Professor Cheyne's opinion is briefly this: No great number of Jews returned from Babylonia to Palestine in the reign of Cyrus; those who did so went in the suite of Sheshbazzar, a prince of the house of David whom Cyrus appointed governor of Judea; among them were Sheshbazzar's nephew Zerubbabel, and Joshua, "who became the first high priest in the post-exilic sense;" the character of the community in Judea was not affected by their coming. It was not until Nehemiah, in the reign of Artaxerxes (Longimanus?) had restored the fortifications of Jerusalem that radical reforms were possible. The work of reform begun by Nehemiah was carried on by Ezra, who, with a company of men of kindred spirit, came up from Babylonia for that purpose. Ezra organized the Jewish church by a solemn covenant upon the basis of a new law-book which he brought with him and of which he was the author. The counterpart of his work was the founding of a rival Samaritan church by Manasseh, the banished grandson of the high priest Eliashib.

The following lectures are on Jewish Religious Ideals (the Messianic hope; inner conflicts), Jewish Wisdom (Proverbs, Job), Orthodox and Heretical Wisdom, and Contemporary Levitical Piety (Ecclesiastes, Sirach); the last lecture touches on the attitude of Judaism to foreigners, the rise of the beliefs in immortality and resurrection, the influence of Babylonian, Persian and Greek ideas.

The sources for the history of the restoration are very meagre. For the condition of affairs in Judea between 520 and 516, and the building of the temple, we have the testimony of the contemporary prophets Haggai and Zechariah. The remains of the Memoirs of Nehemiah, besides acquainting us with a man of strong character, give us a glimpse of the state of things in the next century—if his Artaxerxes be Longimanus and not Mnemon. For the rest, we have a few documents whose genuineness is vigorously impugned, and an account of the work of Ezra, chiefly from the hand of a late and untrustworthy writer (the Chronicler). In the latter, Professor Cheyne sets aside Ezra ix. and Neh. viii. as entirely unhistorical, but thinks that the substantial truth of Neh. ix. may still be admitted, though the background of the narrative is false.

This scanty material is supplemented by numerous passages in the poets and the prophetic writings—especially the latter part of the Book of Isaiah—in which Professor Cheyne finds allusions to the events or situations of the period. There is large room here for that "imaginative criticism" which he describes as an intuitive perception of what must have been, and against the depreciation of which he protests (p. 4).

Speaking of the work of Ezra he writes, "If the traditional picture of his activity is not fully historical, it devolves upon us to fill up the deficiencies of the narrative by reasonable conjecture" (p. 69). This describes very well what the author has attempted in his sketch of the work of Ezra and his Samaritan double, Manasseh; he has endeavored to supply the lack of sufficient and trustworthy historical sources by an ingenious conjectural reconstruction. Nor is it only in the absence of sources that he employs this method. In the description of the conduct of Sanballat he discredits the explicit testimony of Nehemiah as warped by prejudice and excessive suspicion; Sanballat planned no treachery, he was sincerely desirous of making a compromise, and was driven into hostility only by the obstinate refusal of Nehemiah to treat with him (p. 48 f.). Such a thing is conceivable enough; but that a theory is conceivable, or even plausible, does not justify the substitution of it for the testimony of a competent and generally credible witness, unless that testimony can be impeached on other grounds. The text is treated with the same license. In two places in Ezekiel the name of Daniel occurs (xiv. 14, xxviii. 3); though all extant witnesses support the text, Professor Cheyne says that "any one can see" that it must be wrong, and substitutes Enoch in both places.

The last four lectures treat of several aspects of religious thought in post-exilic times; though the two on Jewish Wisdom really deal rather with the literary products of the movement. In this part of the book the author is going over subjects on which he has written more fully elsewhere. It is interesting to note his change of view in regard to some of them. Ecclesiastes is now put (with Graetz) in the time of Herod, a date which formerly seemed to Cheyne to be "absolutely excluded" (*Job and Solomon*, 1887, p. 271). In the *Bampton Lectures* (1891) he found intimations of the belief in immortality in a series of Psalms (xvi., xvii., xlix., lxxiii.); he now thinks that "a strict textual criticism" compels us to abandon this theory. I must confess that I was not convinced by the former argument; but of the validity of the veto of textual criticism I am as little convinced.

The picture of the religious life of the Jews given in these lectures is far from complete. A very disproportionate space is given to the ethical and philosophical side, while others of equal or greater importance, such as the continued development of the law, and the process by which, in the course of these centuries, the Jews were converted into the people of the law, are not touched upon; an institution of as great moment as the Synagogue receives no mention. The crisis which contact with Greek civilization brought is only incidentally referred to.

One or two minor points may be noted. On page 204 n. †, as evidence that Ben Sira was a Sadducee, it is remarked that "the Books of the Sadducees and the Book of Ben Sira are placed side by side on the old Jewish Index Expurgatorius. See *Sanhedrin*, 100 b." "Sadducees" in this passage is a change made by the censorship; the original reading was *mīnim*, "sectaries," i. e., Jewish Christians; the oldest form of this

"Index" expressly names the Gospels. On page 201 n.\* "bedchamber" is a slip of the pen for "couch."

GEORGE F. MOORE.

*Ave Roma Immortalis. Studies from the Chronicles of Rome.* By FRANCIS MARION CRAWFORD. (New York: The Macmillan Co. 1898. Two vols., pp. x, 332; ix, 344.)

DURING this generation we have become so accustomed to the prevalence of the artistic and archaeological elements, in new books on Rome, that *Ave Roma* comes with the advantage of novelty in its unexpected treatment of a well-worn subject. At the same time a great deal will be required of the author because of his long residence in Rome, his well-known familiarity with the theme, and his reputation as a writer. In its general elements, Mr. Crawford has produced the kind of book to be expected of a writer of fiction, who seeks for characteristic facts and settings, delves into the past as well as the present to find them, and when found proceeds, in order to compose his picture, to strengthen their tragic outlines or to invest them with the rich colors of a poetic fancy. Accustomed to gather material for his fiction among the very kinds of people he paints for us in this book, his aim is to portray the life of Rome at its great periods, both in its general phases and its special dramatic incidents. He would not care—even were he able—to cast his stray anecdotes and disjointed essays into a connected whole; that would be the work of a scholar, whereas his aim must surely have been to write a readable popular book, without pretense of making it systematic or learned.

The arrangement, though it may at first seem peculiar, is really necessitated by these characteristics. It commences with some introductory essays of historico-pictorial content. "The Making of the City" (I.) sketches somewhat dreamily the legends and primitive life, though without reference to Latins or Sabines, tribes or form of government, and then refers to the establishment of the republic and the wars with Pyrrhus and Carthage. Under "The Empire" (II.), after some preliminary character-sketching of the Gracchi, Marius and Sylla, there follows a detailed eulogy of Julius Caesar as the greatest man that ever lived, and a somewhat frigid estimate of Augustus. Then the entire imperial period is dismissed with the summary explanation that it was created and directed by the army and undermined by Christianity and the barbarians. "The Rome of Augustus" (III.) is a chapter from which we expect great things until we find that it consists of an essay on Horace and his famous walk with a bore. Even that disappointment hardly prepares us for the absence of the medieval in the following chapter (IV.), entitled the "Middle Age," largely devoted to a discussion of the tyrannical power of the father in the ancient Roman family.

Whereupon the author, imagining that the historical antecedents are presented and the ground satisfactorily cleared, introduces the main body

of the book, treating of Rome topographically under the headings of the fourteen *rioni*, the regions into which the medieval city was divided, each organized under its captain and banner into a force representing the Roman people as distinct from the papal court and the barons. Each *rione* is discussed in turn, some building being often made the peg on which to hang a story, nearly always of the late Middle Ages or the Renaissance, for of classic or early Christian stories Mr. Crawford is extremely chary.

There are popular festivals of olden time, such as the *Coromania*, the warding of the witches, or the Carnival ; public ceremonies, like the imperial coronations and the processions ; tragic incidents, such as the fratricides of the Mattei family or the Orsini and Colonna feuds ; character-sketches of great men like Arnold of Brescia and Rienzi ; descriptions of a period or state of society, like the life of the medieval barons, of the Roman nobles and their households in the Renaissance, or of the Jews in the old Ghetto. The most satisfactory treatment of a single *rione* is that of the Capitol (Campitelli), with its dream-pictures of life in the imperial forum and contests in the Coliseum, and with its pen-pictures of medieval revolutions clustering about the old Capitoline fortress and the Ara Coeli.

After ending his topographical trip for anecdotes at the threshold of the Vatican, Mr. Crawford closes with three somewhat systematic chapters on Leo XIII., the Vatican and St. Peter's. His sketch of the great pope is sympathetic and masterly, and for the rest he aims to give, here as elsewhere, impressionistic effects of atmosphere and personality rather than descriptions of things.

This is the subject-matter of the book. As for the manner of the telling, one feels almost at every point the hand of a dexterous artist in word-combinations and scenic effects, able to conjure up life-like scenes ; in fact in many episodes the colors are laid on rather heavily and the style sustained at so high a tension that it is as if one were invited to dine off caviare alone ; one would welcome more frequent recourse to easier diction to relieve the strain.

The impression that the book leaves will depend on the class to which the reader belongs. The average reader is likely to sum it up as a sheaf of well-told dramatic stories, pen-portraits and essays, loosely bound together by an easy narrative. He will not care to enquire whether there is logic in the arrangement, completeness and due proportion in the picture, or perfect accuracy in the details, provided he is kept interested and imbued with local color—as he surely is.

On the other hand, the lover of Rome, familiar with the details of its past without being a specialist, will be charmed by the vivid presentation of many things he knows, but he will also miss much that is vital : he finds but little that relates to such themes as the rich life of imperial Rome ; the early Christians, their catacombs and churches ; the transformation scenes by which the ancient passed into the medieval city ; the monastic and religious Rome of the past with the pageantry of the papal



court ; medieval art and its countless memorials ; the life and work in the city of the great artists of the Renaissance, or even the literary life of the humanists and their successors of the " Arcadi " and " Lincei." Were such a lover of Rome taxed with unreasonableness in demanding so much, he might declare that such things should have been substituted for much gossip padding and irrelevant matter ; such as the attempt to portray in fifty pages the origin, technique and history of various branches of Italian art—especially painting—during the Middle Ages and the Renaissance. Regarding this essay, tucked in at random under the *rione* of Trastevere—one cannot see why—the familiar question spontaneously occurs : "*Que fait-il dans cette galère ?*" What have the literary landmarks of Rome to do with Cimabue and Mantegna and the Tuscan revival, especially when the author consistently omits any discussion of works of art in Rome ?

Finally the average specialist, disappointed in his search for new information or for scholarly study or presentation of sources, would probably seek to determine whether the well-known facts here used are presented with accuracy and the conclusions drawn in a trustworthy manner. As he turns the pages he will find it said that Rome kept on growing in power after the expulsion of the Tarquins ; that it was the Roman army that set on the throne such emperors as Tiberius, Trajan, and Marcus Aurelius ; that the Latin of the mass was the Latin of the Roman slaves ; that the feudal system and castes and the medieval guilds developed from the tyranny of the ancient Roman father ; that up to the eleventh century the bishops of Milan, Naples and other Italian cities commonly called themselves popes, much to the distress of the Roman pontiff ; that in the churches the *confessio* (really the place under the altar containing the relics of the martyrs) was the altar-rail (!), because the confession was made there—an original explanation of the author. These statements would suffice to bring tears to the glassiest historic or archaeological eye and make our specialist devoutly thankful that the author was not oftener inveigled out of the simple field of anecdote into the more perilous path of general historic causes and conclusions.

Of these three opinions the amiable verdict of the average reader would seem the fairest, as the book was evidently written for his benefit. Even thus we cannot echo the sentence of one reviewer, that Rome has been long waiting for its literary historian and is fortunate in having at last secured him in Crawford. Entertaining and rich in varied interest as *Ave Roma* certainly is, it but makes more evident the fact that Rome still waits for an unwritten book that shall unfold the endless scroll of the entrancing story of its life—or rather of its several and contrasting lives—by some man capable of handling all the material, yet of so living in the past as to subordinate it to the vital human interest, and capable also of painting word-pictures with colors mixed on the palette of truth and perception.

It is certainly not lack of material that has kept this dream unrealized. For all but the pre-imperial period contemporary documents abound. The "Chronicles of Rome," whatever may be meant by this



vague term in Mr. Crawford's sub-title, seem to be claimed as sources for his book, and yet he would be the first to disclaim having approached them at any but a respectful distance, through the eyes of modern writers like the "learned Baracconi," whose book on the Regions of Rome he follows in his arrangement and often quotes in his stories. What a wealth of anecdote could he not have garnered had he been a historian instead of a *raconteur*, and gone to the "Chronicles;" connecting the pages of ancient Roman history with the relics of the city, weaving around churches, monasteries and streets the magic of early and medieval legends and stories from the Lives of the Saints, from the "Liber Pontificalis" and old historic texts to whose plain accounts he could have lent the magic of life and color!

A. L. FROTHINGHAM, JR.

*Die Griechischen Christlichen Schriftsteller der ersten drei Jahrhunderte.* Herausgegeben von der Kirchenväter-Commission der königl. preussischen Akademie der Wissenschaften. *Hippolytus Werke.* Erster Band. Exegetische und homiletische Schriften. Herausgegeben . . . von G. NATH. BONWETSCH d. u. o. Professor der Theologie in Göttingen und HANS ACHELIS, Privatdozent der Theologie in Göttingen. (Leipzig: J. C. Hinrichs. 1897. Pp. xxviii, 374; x, 309.)

PATRISTIC research stirs in many a religious reformer an echo of the old complaint: Earthquakes in Lisbon *et l'on danse à Paris!* Such an impatient spirit should heed the prescription for flagging religious zeal offered by so bold a scorner of dead tradition as Paul de Lagarde. Whatever success Germany has had in politics, he declared, sprang from the documents of the *Monumenta Germaniae*, and the great advance in knowledge of ancient history, philosophy, and language was due to the men who gathered Greek and Latin inscriptions or issued the Berlin text of Aristotle. "An edition of Origen, of the various *Parallela Sacra*, of Cyril of Jerusalem, of Makarius and the Fathers of the desert, of the great scholastics, would affect religion as those monuments affected patriotism, as the Berlin Aristotle and the *Corpora* affected the philology of the ancient languages" (*Memoir*, p. 175). This opinion lends interest to a great undertaking of German scholarship the first fruits of which are presented in the volume here considered.

In 1891 a Church-Father Commission was appointed by the Prussian Academy of Sciences to collect and publish all the literary monuments in Greek, except the New Testament, of the earliest Christianity and the growing Catholic Church to the time of Constantine. Even late Jewish works of Christian currency or Christian redaction are to be included and wherever the Greek original fails the ancient translations will be given. The execution of this project has been aided by an endowment belonging to the Academy: the Hermann und Elise geborene Hackmann Wenzel-Stiftung. The series will be complete in some fifty volumes and will be

finished in twenty years. That vast labor and restless enthusiasm have been called into play is evident by the two massive volumes of the History of Early Christian Literature edited by Adolf Harnack as a guide to the enterprise and by the studies in literary history now appearing from the pens of the editors and others in the *Archiv für die älteren christlichen Schriftsteller*. Were Lagarde alive he might complain again of the intolerable monopoly of the Berlin Academy. His comfort would have been the fact that the first volume is the work of scholars in Göttingen, Bonwetsch and Hans Achelis.

The series opens proudly, for this first volume is more than a critical edition of familiar matter. The first part is an *editio princeps* of Hippolytus's Commentary on Daniel. This very early exegetical work with its riotous typology having been superseded by Theodoret's commentary, only scattered fragments were accessible, until in 1885 Georgiades published the whole of Book IV. Although much of the Greek is still missing completeness is now obtained by the translation into German of an Old Slavic version. Where the Greek is preserved some peculiarities of the Slavic appear. In IV. 19 we read of revelations in dream of the speedy approach of the Advent causing the brethren to neglect their farms. When the prediction proved to be erroneous, the Greek informs us, maidens married and the men went to their husbandry. According to the Slavic version, the nuns married and the monks took wives. Chronology had few problems to the medieval scribe.

The rest of Bonwetsch's contribution is a collection of fragments on the Song of Songs, one in Greek, the rest in German translations from Slavonic, Armenian and Syriac sources. The second half of the volume, edited by Achelis, consists of the tract on Antichrist and a mass of exegetical and homiletic fragments, not all in Greek and certainly not all genuine.

The text of Hippolytus is evidently a complicated problem and it is far from clear that the fuller provision of manuscripts has enabled the editors to present a more accurate text than Lagarde printed. His edition is not wholly supplanted. The omissions of the Chigi fragment of the commentary on Daniel are now made evident; but as they were mostly omissions of Daniel's text or material from I. Maccabees the simplicity of the Chigi text in some important passages is not therefore rendered suspicious. In the case of Dan. iv. 23, Bonwetsch prints the fuller text with the date of Christ's birth as December 25, but the note accepts the reading of the Chigi fragment as more original, a reading without the Christmas date. It seems clear that amplification and embellishment, though not doctrinal interests, have been motives at work. A passage from De Antichristo III. may illustrate Lagarde: "I beseech you to strive with me in supplication to God. You seek to get (learn) how of old the Word of God, himself again the servant of God, of old the Word, gave revelations to the blessed prophets." Achelis: "I beseech you also, Theophilus, to strive with me in supplication to God, in order that what of old the Word of God revealed to the blessed prophets, now him-

self again the servant of God, being of old the Word but now also manifested in the world for our sakes as a man, He may make clear to you through us those things which you seek to get through prayer to Him." Syntax and context suggest interpolation.

Doubtless special studies in doctrinal history will be evoked by this publication. The narrow but fervid interest here shown in the realistic notion of a physical redemption prepares the student for a proper appreciation of Augustine's influence over Western religion.

F. A. CHRISTIE.

*Die Christenverfolgungen im römischen Reiche vom Standpunkte des Juristen.* Von DR. MAX CONRAT (COHN), Professor des römischen Rechts an der Universität Amsterdam. (Leipzig: J. C. Hinrichs. 1897. Pp. 80.)

UPON such a subject as the persecutions of the early Christians a professor of Roman law should be particularly qualified to speak, and the author of the present work may be assured of a respectful hearing from all students of ancient church history. The advantage that may accrue from approaching the matter from the standpoint of Roman law was shown by the notable article by Professor Mommsen in the *Historische Zeitschrift* for 1890, entitled "Der Religionsfrevel nach römischem Recht." That article completely revolutionized traditional conceptions touching the causes of the persecutions and the methods of procedure against the Christians. Professor Conrat acknowledges his indebtedness to Mommsen's article, upon which his own work is based, but he has evidently done careful and independent work in the sources and he believes that he has reached new and important results. We regret that we are unable to agree with him in that belief. His book has a distinct value because of the numerous quotations from the sources and the elaborate discussions in the notes, but we fail to see that he has contributed anything of importance to our knowledge of the subject. Indeed it seems to us that at some points his treatment marks a distinct step backward.

The author is undoubtedly correct in taking the position that no general law or imperial edict against Christianity is necessary to account for the persecutions and that no such law was passed or edict published during the first two centuries of the Church's life. But when he attempts to find the cause of the persecutions in the actual or alleged violation by the Christians of some other specific law or laws or in their commission of some specific crime he is certainly on the wrong track. He refers in a note to the extraordinary police jurisdiction of the Roman governors—upon which Mommsen rightly lays stress—but he fails to recognize its bearing upon the subject in hand. Thus he says on p. 21 that it is certain "*dass die Zugehörigkeit zum Christenthum als solche bez. das Christenthum als solches niemals verboten und darum niemals verfolgt resp. bestraft worden ist.*" The conclusion of this sentence (the italics are ours) indicates an entire misapprehension of the real situation. As a matter of

fact, though Christianity was not forbidden by the state, Christians were frequently punished, from the time of Nero on, because they were Christians. The possibility of such an apparently anomalous state of affairs lay in the fact that the Roman governors were charged with a large measure of administrative discretion and were empowered to proceed sharply against any who seemed to menace the public safety, even though they might be guilty of no violation of the statutes of the empire. It was apparently during the reign of Nero that the Christians came to be generally regarded as possessing that *odium generis humani* of which Tacitus speaks, and from that time on any governor might arrest and punish them at any time if he found them creating disturbances or believed that they were threatening the public welfare, even though they were guilty of no specific crimes, and this is what many governors did, among them the younger Pliny in Bithynia. Professor Conrat's failure to give due recognition to this aspect of the case has resulted in what seems to us a very serious misinterpretation of Rome's treatment of the early Christians.

A. C. MCGIFFERT.

*Petrarch, the First Modern Scholar and Man of Letters. A Selection from his Correspondence, designed to illustrate the Beginnings of the Renaissance.* Translated from the original Latin, together with Historical Introductions and Notes. By JAMES HARVEY ROBINSON, Professor of History in Columbia University, with the collaboration of HENRY WINCHESTER ROLFE, sometime Professor of Latin in Swarthmore College. (New York and London: G. P. Putnam's Sons. 1898. Pp. x, 436.)

THIS book will be gratefully received, not only by the lovers of the Renaissance, but also by that larger public which through all the changes of modern education has, from either loyalty or conviction, retained an affection for the old-fashioned humanistic ideals. The particular problem which the authors set themselves was the presentation of the character of that man, Petrarch, who led the fight for the rehabilitation, among the cramped society of the Middle Ages, of the liberating philosophy of the ancients. The method which they felicitously adopted in place of the usual tedious exposition was, to yield the floor, as it were, to Petrarch himself, by binding together in the frame of an able and lively commentary selected letters of the immense correspondence in which the great scholar has depicted himself, his aspirations, his environment, and his friends. A rapid glance suffices to master the arrangement of the material. An introduction of fifty-seven pages acquaints us with the man and the time; then follow the letters themselves ordered in divisions or rubrics calculated to bring out the significant features of Petrarch's life. These rubrics are as follows: I. Biographical, II. Petrarch and his Literary Contemporaries, III. The Father of Humanism, IV. Travels, V. Political Opinions: Rienzi and Charles IV., VI. The Conflict of Monastic and Secular Ideals, VII. Finale. This general plan will readily

commend itself for its breadth and its clearness ; nothing essential is left out, nothing obscured. As regards the details of the plan, however, one improvement might be introduced which would render a service quite out of proportion to the trouble it would take. As the case is, the reader can get information concerning the date, place, and correspondent only by a somewhat tedious see-saw among foot-notes, introductions, and epilogues, and he can discover the argument of a particular letter only by reading the whole of it. Certainly the authors would have indulged a legitimate desire for convenience, if they had prefaced every letter by a paragraph in small print, in which they furnished the desired information in a few compact sentences. Every letter would thus have been enveloped in its proper atmosphere through which one could have penetrated swiftly and commodiously into the heart of the document.

The authors of the book make no pretension to new facts, their task being, after the arrangement of the material had been once decided, the business of selecting, editing and translating. And this business, very largely one of tact and form, they have managed quite as satisfactorily as the general plan. Each division of the work, and each letter of each division, is set against just the amount of background requisite for the effectiveness of the contents, and of these carefully staged backgrounds, scholarship, precision and artistic measure are conspicuous characteristics. However, two sources of irritation, the one less, the other more important, may be noted. Regarding the unimportant stricture, the authors occasionally indulge in repetitions, which they would presumably beg to have excused on the ground of clearness. The other matter, although it is only a stylistic vice, is more serious, since it involves the intelligibility and forcefulness of the whole argument. Throughout the longer excursions, and therefore particularly in the first Introduction, no effort is made to bind the various and often disparate information together by means of gradual transitions from paragraph to paragraph, and the consequence is that there is produced a wholly unnecessary effect of confusion, involving a suspicion of the capacity of the authors for development and climax. The Englished letters, which form of course the bulk of the volume, seem to satisfy admirably the demands of a good translation : they give not only the facts, but also the very style of dress in which Petrarch sent his facts out into the world. Certainly the easy, rippling, and—it must be confessed—occasionally long-winded period of the translations, in which force is persistently sacrificed to rhythmic swing and elegance, is modeled with sensitive precision upon the sentence-form of that writer who passionately strove to recover a fluent and suave latinity. Whether we are attracted or repelled by the style of these translations, they contain a great deal of the specific quality of the old humanist.

And finally, to turn from the details to the whole. The book is, considering its size, astonishingly full of information, and information, too, that never hobbles on crutches. The Middle Age therein becomes vital and intelligible ; and above all, the figure of Petrarch gradually detaches itself from the pages with an actuality and an intimacy that commends him

to our affections. Of course, there are sides of Petrarch that are deliberately slighted. Petrarch the poet, for instance, has no place in this volume; it is dedicated to the study of Petrarch the thinker and Petrarch the humanist. And this Petrarch will be found utterly worth while, undoubtedly one of the world's great leaders, who inspires our admiration when he makes his excursions into the uncertain realms of the intellect, and who claims our pity and tenderness when he falls victim to the medieval prejudices in his blood. It is interesting to observe how, much as in the case of the great intellectual pioneer of our own century, Goethe, the habits of scholarship gradually extinguished in him the fire of poetic invention, and it is delightful to note how in other respects, too, especially in his calm wisdom and perfect balance, he resembles, not so much Erasmus and Voltaire, to whom he is usually likened, as the great thinker of Weimar. Indeed, the circumstance that the author of the passionate *Canzoniere* is also the parent of the learned Latin epic *Africa*, seems to throw some light on the famous riddle presented in the fact that the poet of the First Part of Faust is also the author of Part Second.

On the cover of the book appears a sketch of Vaucluse by Petrarch's hand—a most pleasant trifle, and really far more expressive than most of the landscape work of the fourteenth century. On page 87 Giotto is probably a slip for Simone Martini. The book is admirably free from careless mistakes.

FERDINAND SCHWILL.

*Drake and the Tudor Navy*, with a History of the Rise of England as a Maritime Power. By JULIAN S. CORBETT. (London, New York and Bombay: Longmans, Green and Co., 1898. Two vols., pp. xvi, 436; viii, 488.)<sup>1</sup>

THIS book is, as its title suggests, not merely a biography of a sailor, who was, in the author's opinion, the foremost of the men who determined the direction and extent of a movement which made England a "controlling force in the European system by virtue of her power over the sea;" it is meant to be rather a history of the movement with Drake as the central figure—Drake, sea-rover, statesman, admiral, the "perfecter," Mr. Corbett claims, "of a rational system of sailing tactics," the "father of a sound system of strategy," the "first and unsurpassed master of that amphibious warfare which has built up the British Empire." In a word it is a lavish contribution to the history of the English navy based on wide reading of original and other sources, and illuminated throughout by brilliant constructive thinking.

As Mr. Corbett paints Drake's portrait upon the rich middle distance of Elizabethan maritime endeavor, so the history of Elizabeth's navy is in turn shown against a still broader background in the introductory essay on the naval art in the middle of the sixteenth century. It would perhaps be

<sup>1</sup> The following remarks apply to the first edition, possibly not always to a new edition which may have appeared before the present review.



more prudent to rest content, at least till after maturer study, with simply calling attention to the great value of this introduction; but in a spirit not so much of criticism as of unassuming inquiry, I am inclined to ask a few questions, in the hope that, even though unjustified, they may serve to call attention to the important subject discussed.

The middle of the sixteenth century was a period of marked transition. The ideas of the Middle Ages held their dark sway over the sea a century after they had been banished from the land, but the cradle of the modern naval art, if I interpret rightly, was not the landlocked Mediterranean, but the wilder North Atlantic. From England, not from Italy, came the sailors' Renaissance. The great transition was, of course, from oars to sails, from the intricate mathematical tactics which handled a fleet of galleys with the precision of infantry and cavalry, to the simple line of sailing ships passing and repassing the enemy with serpentine ease, and pouring into him first one and then the other broadside, the afterwards so famous closehauled line-ahead, the invention of which Mr. Corbett is, I think, the first to assign to a date so early as the Armada year. And here, with some diffidence, I make the query whether it would have been possible, after describing the transition of warship and tactics, to discuss more fully the old Italian ideas of strategy. Perhaps a minute discussion of the Lepanto campaign would have served to emphasize still more sharply the great advance made in the naval art when, for the galley and galley warfare, the English substituted their own type of galleon, and their revolutionary sailing tactics and strategy. And, though not overlooking Mr. Corbett's remarks on the important ideas of Menendez, I am tempted, somewhat anticipating later chapters, to ask further whether one could not trace in greater detail an evolution of Spanish naval thought from Lepanto through the campaigns in the Azores to the Armada, an evolution which might perhaps correspond to the development of the famous Santa Cruz, who as a rowing-admiral commanded a squadron of galleys at Lepanto, as a sailing-admiral led a Spanish fleet to victory at San Miguel and at Terceira, and took a prominent part in the organization of the English Enterprise, though he did not live to lessen the disaster of 1588.

By a happy coincidence, the year that most clearly shows the transition from oars to sails was, Mr. Corbett thinks, probably the very year in which "the first great sailing-admiral the world ever saw came obscurely into being." His brilliant biographer carries us with Drake's boyhood "along the flood of religious passion," with his youth along the "more silent but no less deep and powerful flow of an aggressive and expanding commerce in search of new markets," and finally launches him upon his career as the great sailor of the Reformation. Mr. Corbett, however, does not permit his interest in the man to outweigh his interest in the navy. He has great naval lessons to teach, and does it with such skill and vigor that his most abstruse chapters could hardly lack fascination even for a platonic lover of history, while it is difficult to find in any historical work pages more thrilling than those which tell the deeds of



the English sailors who burst through the barriers set up by the Pope into the fabulous new Spanish and Portuguese worlds of East and West, and filled their fearless heretic hands with the treasure that might have helped to make England, if not all Europe, Catholic and Spanish. I need not here discuss the details of this wonderful story, but shall doubtless be pardoned for lingering a little over Mr. Corbett's account of the Armada campaign. His discussion of the English strategy before the appearance in the channel of the Spanish fleet is important, and especially interesting to the curious in the history of tactics is his theory, which I have already mentioned, that the English fleet sailed in closehaunched line-ahead in their first engagement with the Armada. Mr. Corbett's description of this first battle is very clear. His opinion that the English directed their fire chiefly to the weathermost point of the Spanish formation is a further contribution to the history of tactics. The description, modestly called by Mr. Corbett "the confused picture that it is possible to restore," of the Portland action is also a brilliant effort. His hypothesis in regard to Drake's movements is most interesting. To the change in the English fleet-formation resulting from this battle Mr. Corbett devotes a suggestive discussion. It was "the first attempt of the new school to formulate an order of battle suitable to their tactics," and it is interesting to find this new order emphasized in the description of the ensuing battle off the Wight. This description is perhaps not quite so happy as those of the first two actions. The theory that an attack by Hawkins and Drake upon the weathermost ships of the Spanish vanguard with a view to driving the whole Armada upon the Owers decided the day, is very taking, but I am not yet prepared to pass judgment upon it, nor upon the high estimate of the importance of this Wight action. Mr. Corbett's account of Gravelines again is very instructive. His original theory, however, that "the battle was on the eve of returning a harvest of prizes as rich as did Trafalgar, when suddenly, in the Spaniard's last extremity, a squall swept down . . . and changed the face of the day," does not yet convince me, but I may have overlooked some of the evidence in favor of it.<sup>1</sup> However, squall or no squall, Mr. Corbett thinks the English victory was complete enough, and mainly attributes the success to "a regular trained navy of specially built warships." It was "England who had the formal navy, not Spain, and it was the navy not the privateers that decided the campaign."

A discussion of the lessons taught England by the fight with the Armada serves admirably as an introduction to Drake's resolve to attack Lisbon, and the consequent expedition. To this famous "Portugal adventure," the "English Armada," which "ended almost as miserably as that of Spain," Mr. Corbett devotes a noteworthy chapter. But

<sup>1</sup> Some of my doubts are whether (cf. II. 289, n. 2) *aguacero* and *mollisnar*, or even the expression *entrar la mar* imply necessarily a dangerous wind, and whether (cf. II. 289, n. 1) *vuelta* does not apply to Medina Sidonia instead of to a squall. Mr. Corbett himself calls attention to "the complete silence of the English authorities on this squall."

although the affair was regarded in England as a disastrous failure, he endorses Camden's opinion that England was in some respects a gainer from it, and maintains that "as a demonstration of the inherent weakness of Spain, which it had been Drake's life's work to teach his countrymen, it was final and complete."

To Drake, however, the Portuguese adventure brought disgrace, and in this way, as Mr. Corbett points out, proved a disaster to England. For in consequence of Drake's retirement the war "sank to mere commerce-destroying," a new state of things from which the lessons to be learned are "amongst the sharpest and most valuable" of the war. During these years of Drake's disgrace and the abandonment of his policy of offence, Spain grew constantly more powerful at sea, and England found herself at last confronted with the prospect of a new invasion still more formidable than the last. But Drake was finally recalled and thus we have the touching "Last Voyage," which, although over it hung the fatal ignorance that Spain had become a "great sea-power," nevertheless shows us the exact point to which Drake had carried the art of tactics at the moment of his death. "His work was done, his school was founded," and "even as he passed away, distraught with failure, England was fairly launched upon the course that brought her to the empire of the seas." I may perhaps be permitted to add to these closing words, that Mr. Corbett's book has so vividly emphasized the great lessons of Drake's career that the old drum at Buckland Abbey, which the legend says can summon him whenever England is in danger, need never beat again.

W. F. TILTON.

*The Life and Letters of George Savile, Bart., First Marquis of Halifax*, with a new edition of his Works now for the first time collected and revised. By H. C. FOXCROFT. (London, New York and Bombay: Longmans, Green and Company. 1898. Two vols., pp. xv, 511; vii, 587.)

THE thoroughness with which Miss Foxcroft has gone about her work lays students of English history of the period of the Revolution of 1688 under an indebtedness to her—an indebtedness greater than to any English woman who in recent years has engaged in historical research. Roughly speaking, three-fourths of the pages of Miss Foxcroft's two large volumes are occupied with the biography and letters of Halifax. The remaining one-fourth is given up to a collection of Halifax's political tracts and other writings; and in this department, that is as an editor, Miss Foxcroft has displayed the same industry and painstaking care as characterize the biography. The full and eventful political life of Halifax began in 1660, when, for the first and only time, he was of the House of Commons, as one of the representatives of the Yorkshire borough of Pontefract, in the Convention Parliament. Miss Foxcroft takes up Halifax's public career from this time, and goes with great ful-

ness of detail into all its political actions, until his last speech in the House of Lords in opposition to the establishment of the Bank of England, a speech which was made only a few months before his death in April, 1695, when he had been twenty-eight years in the House of Lords.

While up to the time Miss Foxcroft wrote there was no adequate biography of Halifax, there was abundant material in the published letters and memoirs of the period from the Restoration to the beginning of the Hanoverian dynasty. Miss Foxcroft has drawn largely on this material. The Savile and Hatton correspondence, in the publications of the Camden Society; the Reresby memoirs, Clarendon's correspondence, Burnet's and Somerville's memoirs, to name only a few of the authorities of this period, have all been used to the utmost advantage. It is, in fact, almost impossible to name any authority, or any printed sources of information dealing with the last half of the seventeenth century which have escaped Miss Foxcroft's attention. She has drawn less than perhaps she might have done on the Journals of the English and Irish Parliaments and on the Statutes, and has frequently used Grey, Ralph and Luttrell, both in the text and in the numerous foot-notes to every page of the biography and the collected political pamphlets of Halifax, when she might with ease and advantage have gone to first authorities like the Journals and the Statutes. Both these sources are used, but scarcely to an extent in keeping with the extraordinarily wide range of Miss Foxcroft's research; for, throughout, Miss Foxcroft has shown no disposition to save herself work. A closer familiarity with the Journals of the House of Commons in the seventeenth century could hardly have failed also to have given Miss Foxcroft a better grasp than she appears to possess of the English system of parliamentary representation at the time of the Restoration and generally in the closing years of the seventeenth century. A lack of this full comprehension of the system as it then existed, with all the anomalies and all the anachronisms which continued to characterize it until 1832, seems apparent in Miss Foxcroft's rather slight treatment of the attack upon the charters of the municipal corporations in 1682, in which Halifax, as Lord Privy Seal, necessarily had an official share. Familiarity with the Journals of the House of Commons would also have prevented Miss Foxcroft from making the mistake she does in the footnote to Halifax's famous tract, "Some Cautions Offered to the Consideration of Those Who are to Choose Members to Serve in the Ensuing Parliament." She there states that "the number of 'pocket boroughs' in Cornwall, created by the Crown toward the end of the Stuart period, is a well-known fact." The "end of the Stuart period" is a rather vague term. Even if it is taken as dating from the Restoration, Miss Foxcroft is utterly wrong; for only one borough was given parliamentary representation by the Crown after 1660. This was New-ark, which was practically a pocket borough of the Saviles, and, as Miss Foxcroft brings out, was long represented by Henry Savile, Lord Halifax's brother. Familiarity with the Journals as close as with the other printed matter that Miss Foxcroft has handled so well, would also

have obviated the footnote on the same page in respect to Halifax's use of the term "a man of the robe." Miss Foxcroft says that Johnson gives no example of this expression. In the Journals it occurs scores of times, to designate the lawyers who were of the House. Scarcely an important committee was named in the seventeenth century which was not made to include "Gentlemen of the Long Robe." One is inclined to wonder that Miss Foxcroft did not pursue the parliamentary side of her subject a little further; for Halifax was one of the earliest pamphleteers in the cause of parliamentary reform. His "Cautions to Electors" is one of the best contemporary pictures extant of the House of Commons, as it existed at the time of the Restoration. Under its twenty headings are set out faults in the representative system which Parliament was finally called upon to remedy in 1832 and continued to remedy by piecemeal legislation until 1835, and set out in a way that might have stimulated Miss Foxcroft's zeal in historical research.

If Miss Foxcroft has not pushed her research among printed material quite as far as she might have done with advantage to the setting in which she places Halifax, and to the value of her footnotes, she has made extensive and excellent use of manuscript sources. She has evidently been thorough in her work on the numerous reports of the Royal Commission on Historical Manuscripts, and having discovered much material of value there, she has not contented herself with the summaries and selections of the Commission's examiners and reporters; but has gone herself to the manuscript sources. One result of this industry is the recovery of a large number of Halifax's letters, almost as many as there are in the *Savile Correspondence* of the Camden Society. Another result is a free and helpful use of what are now known as the Devonshire House Notebook and the Spencer House Journals, both written by Halifax. The Journals, in fact, are both cited in the text and printed in their entirety as an appendix to the chapter covering the period with which they deal. The manuscripts in the British Museum, those in the State Paper Office, and those in the Bodleian Library, have also been exhaustively examined; so have the Longleat and other private collections, with the result that Miss Foxcroft has recovered and printed everything that Halifax wrote which is now extant, and which throws any light on his career.

At two or three places in the text, Miss Foxcroft distinctly states that she is not writing a history of the Restoration and Revolution periods. But her setting for the biography of the "Trimmer" is full and self-contained, and adequate for any student of these periods. She is an admirer of Halifax, and whether consciously or unconsciously shows a fondness for bringing him out of most difficulties, complications and compromising situations with flying colors. Halifax is to remain under no stigma which Miss Foxcroft's research can remove. She is as ready to remove a slur on Halifax's domestic morals as she is zealous to show that his attitude towards religion was not that so long imputed to him, or to show that he did not insist on dealing with the Popish Plot in 1679 ut-

terly heedless of the truth regarding it; to clear him of any originaive and active part in the attack on the charters of the municipal corporations in 1682; to free him from Macaulay's charge of voluptuousness, and from Dalrymple's charge of evincing that "indetermination of spirit which commonly makes literary men of no use in the world." Or again she tries to put Halifax clear of the intrigues of Admiral Russell with the Prince of Orange shortly before the birth of the Prince of Wales in 1688; to repudiate Ranke's charge of political supineness at the time when the London clergy were coming to their decision with respect to the promulgation in the churches of the second Declaration of Indulgence in May of the same year; to justify his part in the Hungerford negotiations, when the Prince of Orange was marching on London; or, to quote another and the last of what might be made a long list of examples, to make clear that Halifax was in no way responsible for the long delay which occurred in 1689 in bringing about the reduction of Ireland.

With regard to Halifax's moral delinquency, Miss Foxcroft is ingenious. "Besides his legitimate descendants," she writes, "the Marquis, it has been generally supposed, left at least one illegitimate son. Henry Carey, the poet, grandfather of Edmund Kean, is said to have professed himself the offspring of the Marquis of Halifax; he gave all his children the baptismal name of Savile, and report assigned to him a pension at the hands of the Savile family. As Carey, however, eighteen years after the death of his reputed father, described himself as still 'very young,' a phrase which then bore a less extended significance than at present, it may be doubted whether confusion has not arisen between the Marquis and some other member of the Savile connection." And to add to this doubt, Miss Foxcroft cites in a footnote a codicil made by the second Marquis of Halifax on his deathbed, August 21, 1700, by which the estate of the Marquis was charged with £55 yearly to be disposed as he had directed by word of mouth to the Earl of Nottingham and Mr. Conyers. These quotations are characteristic of the consistent care which Miss Foxcroft shows throughout her biography for Halifax's reputation in both public and private life. As regards the general character of the Marquis, and his place in the history of the Revolution, Miss Foxcroft offers no estimate. The scheme of her work, she adds, precludes any formal attempt at analysis. But no student will regard this as a shortcoming, for Miss Foxcroft has dealt so fully and so much in the spirit of a student with all the more important events and crises in Halifax's life, from the Exclusion controversy to the death of Queen Mary, that in respect to them it has been made possible for every student to gauge Halifax by the standard that President Fisher of the American Historical Association set up at the recent meeting at New Haven, and answer for himself "In a crisis, did this man cast his lot on the right side, and was he unselfish and brave?" In the greatest crisis of all, when at the last stage Halifax threw in his lot with the Revolution, time has long ago proved that he was right.

It is not always possible to congratulate Miss Foxcroft on the easy flow of her narrative; she has a proneness to italics which is irritating, and adds no strength to her writing. Many of the footnotes are trivial, and many others could with advantage have been embodied in the text; and while there is an index so full and complete that it extends over forty pages, a bibliography is lacking. To students, however, these are minor drawbacks, excepting perhaps the absence of a bibliography; and they do not to any appreciable extent reduce the indebtedness students are under to Miss Foxcroft for a biography and a collection of letters and political tracts, which will always rank among the most serviceable books of the Revolution period, and demand a place alongside the best of those drawn upon in her work.

EDWARD PORRITT.

*Introduction à l'Histoire Littéraire.* Par P. LACOMBE, Inspecteur Général des Bibliothèques et des Archives. (Paris: Hachette. 1898. Pp. viii, 420.)

THIS book is a collection of essays on certain aspects of French literature and of French literary criticism rather than a comprehensive view of the study of literature in general. The author himself, to be sure, is convinced that, as Aristotle based his system of *poetics* exclusively upon a consideration of Greek poetry, so the modern science of literature might be based, to a large extent at least, upon the accurate study of the literature of a single people. Or, to quote a comparison used by M. Lacombe himself, as the physicist is assured that an apple falls vertically to the ground in an unexplored country no less than in his own garden, so he, without having studied Arab, Chinese or Hindu literature, feels nevertheless assured that these literatures are governed essentially by the same laws of thought and expression as the literature of his own native country. Without entering here upon the question whether this comparison does not disclose a somewhat mechanical conception of literary problems, one cannot help regretting that a critic of such rare acumen and originality as M. Lacombe should not have extended his observation to wider fields; that he should not have attempted a comparative study of at least the principal literatures of ancient and modern Europe. A book which fails to bring before us at least the general trend of the literary development of the great nations of the world's history, can hardly be called an introduction to the study of literature.

Within the limits set to it by the author's fundamental self-restriction, the book contains a great variety of keen reflections and brilliant suggestions. It is essentially the work of a thinker; and in these days when the domain of literary investigation is well-nigh monopolized by the compilers, it is a genuine pleasure to meet a man who is earnestly in search of first principles. The contrast between this book of M. Lacombe's and a recent German production of a similar scope, Professor Elster's *Prinzipien der Literaturwissenschaft*, is indeed striking. While



Elster's work impresses one as a scrap-book of a vast amount of detached facts and isolated theories, Lacombe's one aim appears to be to reduce a limited number of observations to a rational whole.

Truly delightful reading is the chapter devoted to the psychological analysis of the artistic temper, the unravelling of the mysterious threads that connect the artist's work with his own personality, from the instinctive impulse for production to the conscious striving for definite effects, from unquestioning acceptance of the common modes of thought and feeling to uncompromising assertion of the artistic self. Masterly is the logical analysis of the complexity of causes that produce a given literary phenomenon such as the growth and decay of certain branches of poetry, of certain intellectual and emotional movements; and equally masterly is the way in which this analysis is applied to concrete historical examples, as for instance the development of classical French tragedy. Penetrating and true is the criticism of Taine's failure to explain the relation of the individual to the surrounding *milieu*, of Brunetière's brilliant but futile play with general terms such as *esprit anglais* or *moyen âge*. And full of significance is M. Lacombe's conception of the individual as "un événement qui porte en lui des traces d'institutions antérieures et qui est le point de départ d'institutions subséquentes." It is a pity that the author should not have made this conception the guiding principle of his discussion of literary progress. By tracing in detail the line of development formed by the constant interweaving of individual with institutional forces he would have deepened our insight into the causes that control the growth of a given literature a great deal more than by his interesting attempt to demonstrate the tendency of advancing civilization to increase the mastery over literary form and to heighten the capacity for poetic representation of a complex inner life.

Perhaps the most felicitous part of the whole book consists in the numerous characterizations of individual authors such as Racine, Rousseau, Voltaire, Byron, Chateaubriand, Hugo, Renan, every one of these sketches being used as illustration of some general principle. The very quality which seems to debar M. Lacombe from divinatory appreciation of poetry—his intensely analytic and rational temper—makes him a most fair-minded and unprejudiced interpreter of human nature.

KUNO FRANCKE.

*La Philosophie Sociale du XVIII<sup>e</sup> Siècle et la Révolution.* Par ALFRED ESPINAS, Professor à l'Université de Bordeaux. (Paris: Félix Alcan. 1898. Pp. 413.)

THIS is a volume of lectures, several of them the opening lectures of annual courses delivered at Paris under the auspices of the Faculty of Letters. The author gives them in their original form, even to the extent of preserving the polite "Messieurs" at the outset of each. One feels hesitant in offering a critical judgment of them, conscious that in those to which they served as an introduction the positions here defended



may have been more clearly defined. The only subject fully treated is the conspiracy of Babeuf, to which half the volume is devoted.

The volume opens with a discussion, from the psychological point of view, of the instinctive tendencies or activities of man in society. This is followed by a theory of social crises, an explanation of the social philosophy of the eighteenth century, and an argument to prove that the Revolution was essentially socialistic. The lectures on Babeuf complete the demonstration of the thesis which gives unity to the whole.

This thesis states that socialism was “un des facteurs de la Révolution française, dont la conspiration de 1796 est l'épilogue naturel.” Babeuf is no bizarre revolutionary curiosity, therefore, he “continue et achève Robespierre.” Support for this thesis is not sought in new documents, but in a new interpretation of documents already published.

M. Espinas acknowledges that the Revolution did result in the consolidation of individual property, and that at the distance of a century it does not seem to us particularly socialistic. But this was due, he thinks, to a stupid popular error, which arose after Bonaparte had declared there were to be no more readjustments of property rights, and which transformed the constitutional right of every man to *some* property, into a right to defend the property he had already acquired. And so arose the “legend of the good, the beneficent Revolution, the founder of individual property,” a legend which even economists like Dupont de Nemours were not ashamed to strengthen because of the prestige the Revolution still possessed.

The author looks back upon the years between 1789 and 1795 as a time when the dreamer, the mischief-maker, and the spoiler, had control, and were actually retarding the progress of reform.

His pages give evidence of a careful examination of those debates, in the three assemblies, which bore upon the theory of property or which resulted in some modification of existing property rights. His defect, if defect there be—and those who take his point of view may observe no defect—is in his interpretation of Revolutionary utterances. For example he does not sufficiently distinguish between pious opinions on the welfare of society which the sentimental politicians of that day loved to express in the ardors of controversy, and measures which they embodied in legislation and which they actually carried out. Merely because they denounced riches as a source of corruption, and pictured some idyllic state of equality as the ideal toward which the legislator should work, we are not to infer that they had any serious intention to abolish riches or promote communism. Even Robespierre, more inclined than most others to hark back to principles, declared emphatically, in the debate on the declaration of rights, April 24, 1793, that equality of goods was a chimera, and added that it was even less necessary to private happiness than it was to the public welfare.

The author believes that the men of the Constituent were influenced by socialistic ideas to nearly the same degree as the Jacobins of 1793. Had this been the case one would suppose that they would have used the

church lands to some better purpose than in immensely strengthening the cause of private property by increasing the number of individual holdings. Even M. Espinas is not unconscious of the difficulties of his thesis at this point, for he remarks, paradoxically, "le socialisme d'État était l'instrument avec lequel les derniers vestiges du communisme du moyen âge étaient effacés." Doubtless the way in which feudal rights were confiscated, and the lands of the church taken over by the state, constituted a serious attack upon property, just such an attack as convinced socialists might have made; nevertheless it must be remembered: first, that the impulse to the acts of August 4th, and of the succeeding weeks, came originally from attempts on the part of peasant proprietors to rid their lands of what seemed to them antiquated and unjust encumbrances; and secondly, that the secularization of the church lands had several aspects besides that of an act of socialistic expropriation; it was a financial expedient, a way of satisfying the land hunger of the peasantry, and a means of binding a host of new proprietors to the cause of the Revolution. Furthermore the whole was but the climax of tendencies which had been asserting themselves in French legislation ever since the feudal system had passed the zenith of its power.

When the author gets beyond the period of the Constituent he does not distinguish clearly between currents of opinion, and is inclined to use "Revolution" and "Robespierre" as interchangeable terms. The miscellaneous way in which he quotes them, regardless of what they stood for, would certainly convey a wrong impression to persons not tolerably familiar with the affiliations of such men as Chabot, Fouché and Joseph Le Bon.

Again he fails to make enough allowance for utterances suggested by no well-conceived theory of society, but suited rather to humor the bitter disappointments of the *sansculottes*; indeed the language of envy "lean with seeing others eat." Passions of this sort are often calmed by a little smashing of the social furniture.

But even if it be fair to use "Revolution" and "Robespierre" as synonyms, the author's interpretation of Robespierre is sometimes misleading. Take Robespierre's position on the freedom of bequest as an example. According to M. Espinas he was uncompromisingly opposed to granting any such privilege. And yet Robespierre says in the very speech from which M. Espinas quotes that he is in favor of pursuing a middle course, between the practice of those countries which grant unlimited liberty of disposing of property by bequest and that of those others where no such privileges are permitted. He thought the citizen could safely be allowed to will a portion of his property, provided the right were not used to perpetuate "cette trop grande inégalité des fortunes," which it should be the duty of the legislator to destroy.

Once more, where the argument concerns the right to work, which in the case of the feeble and the aged becomes the right to receive support, Robespierre and others are represented as holding that the larger portion of all property must be considered a reserve fund, to satisfy these claims.

Such an interpretation cannot fairly be put upon the words used in the debates. Neither did Robespierre argue that men who possessed property greater in amount than any individual's share in the common fund ought to be prosecuted as monopolists.

In the description of the conspiracy of Babeuf the attempt to create the impression that this ridiculous adventurer was a real continuator of Robespierre breaks down. He was a travesty, hardly more. And it is doubtful whether the ex-Jacobins, who allied themselves with him in their desire to restore the constitution of 1793, would have listened to his declamations if the victory had been won.

It is difficult to escape the conclusion that writers like M. Espinas are influenced in their interpretations by a subtle desire to discredit every phase of the Revolution. This comes from the unhappy fact that in France the Revolution is still "in politics."

HENRY E. BOURNE.

*Pitt: Some Chapters of his Life and Times.* By the Right Hon. EDWARD GIBSON, Lord ASHBOURNE. (London, New York, and Bombay: Longmans, Green, and Co. 1898. Pp. xiv, 395.)

THIS work is rightly named "some chapters" in the life of Pitt. It is not a Life. The writer, Lord Ashbourne, the Chancellor of Ireland, has been a leading politician and is well qualified to give an opinion on any point of political history, especially when it relates, as the greater part of this volume does, to Irish affairs.

Pitt is a singular instance of a youth distinctly training himself for politics and turning out, without practical experience, a great politician. He went to Cambridge at fourteen and stayed there till he was twenty-one, leading a very studious and, during the earlier years, rather reclusive life. Then entering Parliament, he at once took his place among the leaders; at twenty-three was a cabinet minister; and in his twenty-fifth year became prime minister and master of the House of Commons. He enjoyed the great heritage of his father's popularity, and he had been carefully trained by his father as a speaker. Curiously enough, he turned out the opposite of his father both as a statesman and as an orator. Chatham avowed himself a lover of honorable war; his glory was entirely warlike. He knew and cared little about economy or finance, and not much about general administration. His son was a disciple of Adam Smith, a financier, an economist, a lover of peace as the necessary condition of economical reform, and devoid of genius as a war minister. In his style of oratory also the pupil, though a success in his way, was the very opposite of his teacher. Chatham's style was in the highest degree original and electric. That of Pitt was in the strictest sense parliamentary. If any one wants to know what the perfection of British parliamentary eloquence is, let him read Pitt's speech of February 3, 1800, on the French overtures for peace. Fox's speech in reply, delivered immediately after Pitt had sat down, has been cited as a miracle of extem-

pore effort. It is a wonderful speech, but Fox may easily have anticipated some of Pitt's points, enough to prepare the greatest passages, especially that about the character of the Bourbons.

Pitt's extreme youth when he went to the head of affairs, instead of repelling national confidence, appealed strongly to the national heart. The country, as Lord Rosebery has pointed out, was weary of the factions, cabals, self-seeking, corruption, and incapacity of the aristocratic connections, and of the train of calamities ending in the loss of the American colonies which they had brought upon the nation. The appearance on the scene of the young son of Chatham was felt as a dawn of fresh hope. The drawback was a stiffness of manner, arising from want of intercourse in boyhood with youthful companions, which clung to Pitt through life and probably did him no good; though too much stress has been laid upon "magnetism" as a qualification for leadership. A party will follow a very unmagnetic leader whom it thoroughly trusts. No one could be less magnetic than Lord Grey or Sir Robert Peel. Lord Ashbourne proves that the dictator, so high and haughty to his political associates, could unbend and be charming in a circle of intimate friends. Pitt is playing a boisterous game with some boys when two cabinet ministers are announced. He washes his face, which the boys had been corking, receives the two ministers with imperial dignity, and when they have departed resumes the game. The story is given in Bruce's *Life of Sir William Napier*.

It appears from Lord Ashbourne's chapter on Pitt's boyhood and youth that Pitt's domestic affections were strong, and that he was highly susceptible of home joys. But having given himself up to public life, he never seriously thought of marriage till he was thirty-eight, when he fell in love with Eleanor Eden, the daughter of Lord Auckland, whose house was near Holwood, the scene of Pitt's lonely life. It has been commonly supposed that Auckland, whose character was far from noble, forbade the marriage on the ground that Pitt was unable to make a settlement. Unable to make a settlement Pitt certainly was; for though his official income was not less than ten thousand pounds a year, and he had no vices or expensive tastes, the great finance minister had so neglected his own financial affairs and had been so plundered by his household that he was deeply in debt. But letters published by Lord Ashbourne show that it was not the father but the lover who drew back. See especially Pitt's letter of withdrawal, January 20, 1797, penned in his usual majestic style (p. 243).

To this Auckland replies in a letter which Lord Ashbourne says has been lost, but which evidently pleaded for reconsideration, showing that Auckland desired the match. Pitt rejoins with a still more decisive letter of withdrawal, not explicitly stating, but leading us to believe that the state of his finances was the cause. "The circumstances," he says, "of every man's private and personal situation can often on various accounts be fully and fairly judged of by no one but himself; even where, as in the present case, others may be interested in the result." The por-

trait of Eleanor Eden given in Lord Ashbourne's volume is very attractive. The marriage might have improved Pitt's habits and prolonged his life.

Lord Ashbourne fully discusses the famous FitzWilliam episode, over which there has been so much wailing and malediction. The anti-Revolutionary Whigs under Portland had coalesced with Pitt and the Tories. They were inclined, in accordance with the traditions of their party, to introduce into Ireland a more liberal system than that of government by Castle influence and patronage, as well as to make concessions to the Catholics. Pitt's personal tendencies were in the same line. But the Cabinet being divided, and the King being known to be hostile to concessions, it was necessary to go cautiously to work. So, Lord Ashbourne seems to prove, FitzWilliam, on his appointment as viceroy, was clearly advised. But FitzWilliam, with the best of intentions, went very far from cautiously to work. He prematurely divulged his appointment and proclaimed the great things which he was going to do. On his arrival in Ireland he at once announced a total change of system, proceeded to dismiss the managers of the old machine, and threw himself into the arms of their opponents, thereby bringing down at once a storm upon his government. He certainly seems, as Lord Ashbourne says, herein to have contravened his instructions. His conduct was condemned by Portland, the leader of his own party; it was condemned by Lord Carlisle, his close and warm ally, distinctly, though in a letter of the gentlest and kindest remonstrance. FitzWilliam proceeded further to justify his recall by the exhibition of a great want of self-control, and by the unwarrantable disclosure of a confidential document. The disappointment, however, to the Irish Catholics was severe, and the general effect of the affair was calamitous; though we may agree with Lord Ashbourne in doubting whether any concessions to the Catholics in 1795 would have averted the catastrophe of 1798. In the whole discussion and treatment of the Irish problem undue importance was attached to the question of the Catholic disabilities, and unwarranted hopes were founded on the effect to be produced by their removal. The grievances which the people felt most were the oppressively high rents and the tithes. Lord Ashbourne is probably right in thinking that they cared little whether their representatives in Parliament were Catholics or Protestants. The fact is that in comparison of security in their holdings the Irish people cared very little and still care very little about parliaments at all.

Lord Ashbourne also discusses the charge brought against Pitt of breach of faith towards the Catholics in failing to carry Catholic Emancipation after holding out the hope of it as an inducement to Catholics to acquiesce in the Union. In the late fight about Home Rule extreme Gladstonians went the length of insinuating that Pitt had been guilty of detestable treachery, secretly speculating, when he held out the hope to the Catholics, on the King's prejudice as a door of escape from a moral pledge. But this could be believed only by those who are capable of believing that Pitt got up the Irish Rebellion in order to provide himself

with a pretext for the Union. He had given no distinct pledge to Catholics, but he had unquestionably held out an expectation; and that expectation it was, not less unquestionably, his sincere desire to fulfill. Mr. Lecky, however, condemns him severely for his failure, and even Lord Ashbourne thinks that "he did not act in the matter like a strong man who meant to effect his purpose and who would not be denied." Lord Ashbourne suggests that Pitt's health was failing, and that he had lost some of the energy and decision of early days. That Pitt's health was failing is not doubtful. The port wine with which the family physician, Dr. Addington, had taught him to drench himself was doing its work, as had the colchicum with which the same medical adviser treated Chatham. But Pitt had strength enough several years afterwards to carry on the government and form a great coalition against Napoleon. There was another sort of weakness, not physical but political, which perhaps ought to be taken into account. Pitt owed the premiership in the first instance to a flagrant abuse of the royal influence, which was condoned by the nation from hatred of the coalition. This could hardly fail to weigh upon his mind whenever he was called upon to wrestle with the prejudices of the King. His intention was to follow up the Union not only with Catholic Emancipation but with the commutation of tithe and a provision for the Catholic clergy. But he had difficulty with his cabinet as well as with the King. That difficulty he seems to have judged it best first to overcome, that he might go to the King in the name of a unanimous cabinet. But he was betrayed by his Chancellor, the sycophant Loughborough, who, hoping to secure the King's favor for himself, disclosed Pitt's intention, and with the pious aid of two archbishops so bedevilled the half-insane conscience of his master that when Pitt approached the King the case was hopeless. Pitt paid the debt of honor by resignation. What more could he do? He could not give the King brains or sanity. He could not dethrone him, or deprive him of his legislative veto. George, moreover, had the decided sympathy of all the folly, ignorance, and bigotry of the nation on his side. Addington's administration was anti-Catholic, and Pitt is blamed for having supported it. But the Catholic question was secondary; the main question was the French war, in the midst of which the nation could not be left without a government. Pitt took a more questionable step when, a fit of the King's insanity having been brought on by the agitation, he spontaneously pledged himself not to moot the question of Catholic Emancipation again in the King's life-time. But as Lord Ashbourne says, there was at that time strong reason for believing that the King would not live long, and in the meantime Pitt did not, of course, renounce his chance of prevailing by persuasion, which would have been improved by this touching mark of consideration. To demand that when the war with Napoleon had been renewed and Addington's incompetence had become manifest, Pitt should refuse to answer to the call of the imperilled nation because he would not be able to proceed with a secondary measure, surely would have been preposterous. On that question the mind of the nation at all events was clear.



Lord Ashbourne has dealt with the previous Irish policy of Pitt, his efforts to bring about parliamentary reform and to give Ireland free trade in England. Pitt was evidently animated throughout by the same liberal spirit. That he was not so strong a man or so resolute in facing difficulties as has been commonly supposed is likely enough. But he was certainly incapable of perfidy and probably as little likely as any man who has ever held power can be, to be led away from the path of honor by the love of place.

GOLDWIN SMITH.

*Bismarck: Some Secret Pages of His History.* Being a Diary kept by Dr. MORITZ BUSCH during twenty-five years' official and private Intercourse with the Great Chancellor. (New York: The Macmillan Company. 1898. Two vols., pp. xix, 504; viii, 585.)

PRINCESS BISMARCK, who, like most wives, gave her husband shrewd advice, warned the Prince of the dangers that lurked in Moritz Busch's ink-bottle. "The doctor," said she, "may be very clever and amiable, but all the same you should be on your guard at table when he is present. He always sits there with his ears cocked, writes everything down, and then spreads it abroad." Bismarck, however, knew very well the quality of Busch's literary gossip and was willing to stamp it with his official approval. In November, 1878, Dr. Busch published a book called *Count Bismarck and His People*, the important portions of which are incorporated in the work now before us. Bismarck himself revised the manuscript, and, after it was printed, told Busch that it would give fools the impression that Bismarck was a bitter, censorious, envious creature, unable to bear the vicinity of any greatness. Nevertheless, at the close of the same conversation, Bismarck told his Boswell "as soon as I am dead you can say whatever you like, everything you know." The Prince gave to Busch the use of important papers, and said, "One day long after my death Bueschlein will write the secret history of our times from good sources." The doctor declared to the Prince, "I have always regarded myself as your little archer, who at your call would even shoot my bolt at the sun himself." The reader, therefore, may study these volumes with some assurance that the portrait of Bismarck therein contained is authentic as far as it goes.

There are in these memoirs three clearly distinct groups of materials of uneven value. First are the constantly recurring abstracts of the articles written by Busch, mostly at Bismarck's own dictation, for sundry newspapers at home and abroad.

The period of Dr. Busch's greatest activity as confidential secretary was from 1870 to 1873, but he continued to help Bismarck "tune the newspapers," especially after April, 1877, until the latter's retirement in 1890. These "inspired" editorials, once delivered to the public through the mouthpieces of the imperial government, relate to every



phase of Bismarck's domestic and foreign policy. To the close student of Bismarck's statesmanship they will be of considerable service, as they will help him to guess at the real motives for some of the Chancellor's moves upon the political checker-board. They are of no value and of little interest to the general reader except as they reveal Bismarck's method of creating public opinion and Bismarck's notions of ethics. It seems surprising that in a country where newspapers count for so little, a statesman with so profound a contempt for popular opinion should have been eager to notice and combat obscure journalistic critics. Bismarck's journalistic battery, however, was most useful to him as a means of electrifying his friends in Vienna or his enemies in England or in the court circle around the Empress. The brain of Bismarck and the hand of Bismarck set the current in motion and then the wily Chancellor watched the resultant gestures. After the shock was once felt by the right party, Bismarck had no conscientious scruples about denying his own participation in the affair and roundly condemning his agents. So Busch in 1888 wrote at Bismarck's suggestion a stinging article against the two Victorias, which article Bismarck promptly, publicly and indignantly condemned. The doctor, who elsewhere says that Bismarck "thoroughly understood the business of journalism," was not much disturbed by Bismarck's apparent tergiversation. He wrote in his diary, "*Tempora mutantur?* But I shall never change towards him, nor he doubtless toward me." The members of Bismarck's Literary Bureau counted such sacrifices for their chief of little moment, and Busch thought none the less of his chief because the latter sometimes deceived or repudiated him. Busch was not one to love and serve in silence, however. "I said (to Bismarck) that I would let myself be cut to pieces for his sake; that as for me he was like one of God's prophets upon earth." On one page of his diary he compares Bismarck to "the god Odin," and on the next he writes "I am not disposed to question . . . that he must look back upon his deeds and creations with something of the feeling with which God the Father on the seventh day regarded the world He had made." Twice Busch records that he called Bismarck "Master and Messiah." Bismarck answered "Blasphemy? But you have deserved my confidence."

Such being the feelings of Busch towards his chief, it is obvious what opinions he would entertain of his associates who were not equally faithful. The second group of materials collected by him reveals the daily life of that little group of Bismarck's clerks and secretaries in the Foreign Office, as Busch saw and knew them. These passages have little value in so far as they are verdicts upon men who for the world at large are comparatively obscure, but they convey a vivid picture of daily life in a department of state. The third element in these volumes is the record of conversations with Bismarck, comprising about one-third of the whole work. Almost every line of it is full of lively interest. It has already become—and will remain—a storehouse of Bismarckian anecdotes and quotations. That the doctor is an accurate reporter in the main is more than probable. No one but Bismarck smote out these sledge-hammer

sentences: Gagern is "a mere watering-can of fine phrases." "The Serene Highnesses fluttered around me (at Versailles) like crows round a screech-owl." "Bleichroeder must go into Paris immediately, smell and be smelt at by his brethren in the faith and discuss with the bankers how it is to be done" (payment of French indemnity). "These Parisians who boast of being the cream of civilization, but who in reality are merely the redskins of the pavement." "Professor Gladstone!" "That greenhorn Mommsen!"

The most common subject of Bismarck's monologues with his secretary or his table-companions was his relations with the principal members of the Hohenzollern family. It is surprisingly plain that Bismarck maintained no conventional fictions about the real depositary of supreme power. There is not the slightest trace of that ancient sentiment that caused Chatham to tremble in the presence of George III. Said Bismarck: "I have seen three kings in a state of nakedness and frequently these three exalted gentlemen did not make altogether a very good show. Still it would not do to say that openly before the world. . . . And yet I can just as little keep silent." While he worked he was both King and Emperor; when he could not rule, he resigned. These are the mutterings of a weary Titan, fretted because he must not use his strength beyond the powers of the royal weaklings with whom he was associated. William I. appears as a good-natured, childish dotard, whom Bismarck liked to play with and whom Bismarck periodically preserved from a propensity to tell lies and to fall under the baneful influence of the Empress-Queen Augusta. "The King wishes to see some newspapers and he wishes to have the most important passages marked. Mark some places in the *Nord-Deutsche Allgemeine Zeitung*, it does not much matter what, and send me up the paper." "Nov. 29, 1870. The King told me an untruth to-day. He cannot lie . . . in such a way that it cannot be detected." "As he sits at work, Augusta sticks her head into the room and asks in a caressing voice, 'Do I disturb you?' When he, always gallant, replies 'No,' she comes in and pours out all sorts of insignificant gossip to him. . . . That is not love, however, but pure play-acting. . . . There is nothing natural about her—everything is artificial inwardly as well as outwardly." Again, in 1888, "He (William I.) usually began by taking the wrong road, but in the end he always allowed himself to be put straight again." Bismarck's attitude towards the Empresses Augusta and Victoria needs no illustration. For different reasons he constantly opposed each of them and he called them "snobs." "Whenever I performed on the political tight-rope they hit me on the shins, and if I had only fallen, how delighted they would have been." As to William's successor the Bismarck sentiment was clearly expressed by Busch. "After the death of the Emperor Frederick, I wrote to Bucher a few lines expressing the satisfaction I felt that we were relieved of that incubus, and that his place was now to be taken by a disciple and admirer of the Chief." As early as 1882 Bismarck spoke approvingly of the younger William. "He is not at all disposed to put up with parlia-

mentary co-regents." In 1888 Busch notes Prince William's friendliness to the Chancellor thus: "What high appreciation and what modest self-suppression and honorable subordination on the part of the future Emperor! May God reward him for it! . . . But what does his mother think of it?" After William's accession Bismarck said (September, 1888) "He has more understanding, more courage and greater independence of court influences [than his grandfather], but in his leaning towards me he goes far." A year and a half later came the end. Bismarck burst out upon Busch, "I cannot stand him any longer. . . . I cannot tack on as a tail to my career the failures of arbitrary and inexperienced self-conceit for which I should be responsible."

Busch's stories make it as clear as day that Bismarck and young William were merely two emperors in one realm. A collision was inevitable unless the Bismarck dynasty was to supplant the Hohenzollerns. If a tithe of Bismarck's table-talk, as here reported, reached the Emperor's ears, he was indeed lenient and long-suffering with his great subject. Bismarck said: "For our gibing at princes, we ought each to have ten years of penal servitude."

It is evident that Bismarck had few friends with whom he met on equal terms. Secure in his self-confidence he permitted no rivals, admitted no equals. Scarcely a single contemporary of any rank is mentioned by Bismarck with hearty commendation. Some one quoted Goethe's verse,

"Selig wer sich vor der Welt  
Ohne Hass verschliesst,"

and Bismarck exclaimed "Without hate! What a tailor's soul he must have!" Bismarck did confess to Busch that he had a weakness for Americans. This occurred at the time when Burnside and Phil Sheridan were visiting him, and Busch observes that the latter general particularly spoke "the purest Yankee dialect."

In this portraiture of the Chancellor there is no more striking and significant feature than Bismarck's frequent and sincere declarations of religious faith. There is a true Puritan flavor in his uniformly unquestioning belief that all his foes, domestic and foreign, are God's foes also. It is quite likely that this development of Bismarck's nature owed much to the influence of his wife, who wrote to him when he was before Paris, thus: "I fear you will not be able to find a Bible in France, so I shall shortly send you the Psalms, in order that you may read the prophecies against the French—'I tell thee, the godless shall be destroyed.' " When Bismarck was with the army he kept in his baggage and read habitually two Moravian manuals of devotion, *Daily Watchwords and Texts of the Moravian Brethren for 1870*, and *Daily Spiritual Refreshment for Believing Christians*. At the same time, at table, he discoursed at length upon trust in God, saying: "If I did not believe in a Divine Providence which has ordained this German nation to something good and great, I would at once give up my trade as a statesman or I should never have

gone into the business. . . . A resolute faith in a life after death—for that reason I am a royalist ; otherwise I am by nature a republican. . . . Sever my connection with God, and I am a man who would pack up to-morrow and be off to Varzin and say ——— (too vulgar for print) and cultivate his oats. You would then deprive me of my King, because, if there is no Divine Commandment why should I subordinate myself to these Hohenzollerns? They are a Suabian family no better than my own, and in that case no concern of mine. Why should I be worse than Jacoby, who might then be accepted as President, or even as King? He would be in many ways more sensible, and at all events cheaper.” Busch has in this passage undoubtedly preserved a lava-burst hot from the heart of the volcano. It contains not only Bismarck’s creed, but his political philosophy too, equally simple in statement and broad in extent. He felt himself to be no mere king’s-man such as Thomas Cromwell and Cardinal Wolsey were. He was on the side of a strong and permanent central authority because his religious faith told him that such is the law of the universe, and because he believed that a nation could be made strong only by conformity to this—the Divine plan of organization. On this account this man of “blood and iron” contended all his life against English ideas and against England, “rich, burly, full-blooded England,” as he called it, and strove to exclude from the German system, so far as possible, the venom of English parliamentarism. “They hate and slander me because I am a Junker and not a professor. . . . I was born a Junker, but my policy was not that of the Junkers. I am a Royalist in the first place, and then a Prussian and a German. I will defend my King and the monarchy against revolution, both overt and covert, and I will establish and leave behind me a strong and healthy Germany.” After thirty years of service Bismarck had so identified himself with Germany, had become so completely the man of destiny, that dismissal from office shattered his allegiance to the Germany external to himself, and he permitted himself to exalt the memory and the ideals of Emperor Frederick, an act which the faithful Busch records with grieved surprise.

It is probably safe to say that no one who, either as psychologist or political philosopher, wishes to know the real Bismarck, can leave these volumes unread. Nowhere else in the world now can the voice of Bismarck speak so frankly and clearly as here. Nor is it by any means only Bismarck the politician and minister of state who is revealed. Here is Bismarck quoting poetry,—Shakespeare, Goethe, Schiller. There he discusses pedagogics, asserting that he has forgotten the Latin and Greek that he once knew, and that learned men retain those languages in the schools because they are unwilling to lessen the value of what they have themselves laboriously acquired. As a substitute for Greek he proposes Russian, a language at once more difficult and more valuable. There are many glimpses of the purely human side of his nature. “The tears rolled down his cheeks when he talked of his quarrel with Moritz von Blankenburg.” At Friedrichsruh he said to Busch, “I always feel hap-

piest in my top-boots, striding through the heart of the forest, where I hear nothing but the knocking and hammering of the woodpecker, far away from your civilization."

It is also safe to say that no one who seeks the real Bismarck can find him in these volumes alone. Here we have Bismarck in his working dress, with his tobacco and liquor, talking always with his inferiors, the plodding scholar Bucher, the mirror-like Busch. With them he could safely relieve his mind of the acrid temper that heavy responsibility and the dyspepsia had combined to store there, or he could amuse himself by playing Jupiter Olympius amid a group of reverent and acquiescent worshippers. In his own *Memoirs* on the other hand Bismarck is always in full uniform, as Imperial Chancellor, with dignity describing and defending his state-craft. Both these characters belong to the real Bismarck, and without the aid of Dr. Busch the world would scarcely have known the former type, which is far the more interesting. Busch is certainly as silly as Boswell and almost as persistent, and Bismarck displayed an almost sublime sense of security in admitting such a man to intimacy. No other statesman of modern Europe has been so often photographed by the instantaneous process. Perhaps no other statesman has been so confident of his own unique greatness and solitary supremacy that he has become accustomed to think aloud, without reserve, in the presence of his servants. But this suggests again the question, which nine years ago vexed William II.: After 1870 was the German Emperor the man who held the title?

CHARLES H. LEVERMORE.

*Gedanken und Erinnerungen* von OTTO Fürst von BISMARCK. (New York and Stuttgart: J. G. Cotta. 1898. Pp. xxvi, 647.)

*Bismarck, the Man and the Statesman: Being the Reflections and Reminiscences* of OTTO, Prince von BISMARCK, written and dictated by himself after his retirement from office. Translated from the German under the supervision of A. J. Butler, late Fellow of Trinity College, Cambridge. (New York and London: Harper and Brothers. 1899. Two vols., pp. xxi, 415; xx, 362.)

HAD Julius Caesar left us reminiscences not only of his wars but also of his political activity, and had he interspersed reflections upon the history of the republic since the Gracchi, upon the organization of the new monarchy and upon the policy to be followed in dealing with Rome's allies and enemies, it is needless to inquire what importance historical students would attach to such a book. Of course, there are weak points in this comparison. Bismarck has left behind him results that promise to be permanent, but it is not likely that these will seem as momentous to scholars of the thirty-eighth century as the results of Caesar's life still seem to us. In Caesar's case, moreover, we do not possess what our remote descendants will possess in Bismarck's—letters and speeches covering the man's whole public life and showing his position at every critical

moment. But after allowing for all these differences, we may reasonably expect that Macaulay's New Zealander will regard Bismarck's *Reflections and Reminiscences* as material of the highest value for the study of nineteenth-century history.

We, however, naturally regard the book from the angle of to-day, and we ask, as any conscientious journalist would ask: What has Bismarck told us that we did not know before? and then: Has he told us the truth? If we answer the second question in the negative, the first will of course lose most of its interest. Now Lothar Bucher, who wrote at Bismarck's dictation the first draft of these memoirs, told Busch more than once, that the work was going badly. Bismarck, said Bucher, confused his dates and his causal sequences, and—what was worse—he labored under a double bias. He wished to justify himself and was unwilling to admit that he had made any mistakes; and he wished to influence the politics of the day and was using history simply as argument (Busch, II. 541 *et seq.*, 565 *et seq.*). Bucher was a man of great ability and was very familiar with Bismarck's career; but in weighing his criticism, as exclusively reported by Busch, several things are to be remembered. Busch was keenly aware of the commercial value which his diary would possess after Bismarck's death, and he regarded Bismarck's memoirs as a rival work, which might interfere with the sale of his own. Under the influence of this bias, he may have exaggerated Bucher's criticism. When he published this criticism in his book, last year, he had no correction to fear, for Bucher died in 1893. If however we assume that Busch's report is exact, it is still possible that Bucher exaggerated the points of difference between Bismarck and himself. His discussion with Bismarck was of course conducted with a degree of restraint; in talking with Busch, he was able to express himself without restraint; and in the reaction he may well have said more than he really meant. Busch filled his diary with things said in hot blood; and as cold type cannot reproduce the tone, he fills his readers with false impressions. Finally, Bucher indicates (through Busch) that he was struggling to correct Bismarck's bias (and in spite of his discouragement he carried on the struggle to his death), but he does not indicate the result. This we have in the present book, which was repeatedly revised in type before Bismarck's death. In this book there is certainly no such falsification of history as Busch's report of Bucher's utterances might have led us to expect. Bismarck may have confused his dates and sequences, but he and Bucher together seem to have been able to clear up the confusion. Bismarck may have wished to justify himself, and the book shows traces of this natural disposition, but it exhibits no stronger bias than we expect in autobiographies. Bismarck may have valued history as politics teaching by example, but it does not appear that he found it necessary to invent examples. Horst Kohl, a historian with a reputation to guard, has edited the book and has not hesitated to make corrections in foot-notes. Not many such corrections have been found necessary, nor are they of much importance. In his preface, Kohl testifies to Bismarck's "fast untrügliches Gedächtniss."



As to the other question proposed—concerning the increment of information in the book—it may be said broadly that few important facts are here for the first time disclosed. New light is thrown, in some instances, upon well-known events; and throughout the story the personal elements are emphasized. In the scenes from the revolution of 1848 (Chapter II.) Bismarck makes clear what the Liberal historians of the period invariably ignore—that the movement was essentially a town affair. The peasants of his own district, as he satisfied himself before he went to Berlin, were quite ready to fight “die Städter.” At court he found the greatest confusion and headlessness. The only man in the royal family, William, had been sent away to hide himself. The King had no idea of resistance; his only scheme was to swim with the current. Augusta foresaw his abdication; imagined that her husband would be forced to waive his rights; and was planning, in accordance with French precedents, to save the throne for her boy, Frederick, with herself as regent under a Liberal ministry. Bismarck tried to stir up the generals to act for the King without his authorization, but found no one of sufficiently high rank who would take the responsibility. That the King could have crushed the revolutionary movement Bismarck does not doubt; and he suggests that the moral authority which Prussia would have acquired, as the only solid Conservative government west of Russia, would have facilitated the extension of her influence in Germany. If this line of policy had been followed with decision while Austria was paralyzed by internal conflicts, Germany might have been unified by dynastic agreements in 1848. The other course open to Prussia—the establishment of German unity with the aid of the German revolutionists—was much less promising; for this plan “overrated the barricades” and underestimated the real strength of the dynasties (cf. Ch. XIII.). If, in either of these ways, Germany had been unified in 1848, the wars with Austria and with France would still have been inevitable: they would merely have come after the establishment of the empire instead of coming before it.

A policy which fluctuated between these courses and adopted neither could lead only to failure. Moreover, the army had been neglected; and the knowledge of its condition, Bismarck tells us, caused him to defend in the Diet those negotiations which led to Olmütz. He tells us elsewhere, however, that the view of the events of 1848–50 which he took at the time was very different from the view which he sets forth in his book. His earlier view was essentially that of his “fraction,” which was friendly to Austria. He was still “gut oestreichisch” when he went to Frankfort. The turning-point was reached when at Frankfort he first got sight of Schwarzenberg’s despatch of December 7, 1850, with its famous “*avilir, puis démolir.*” If this is not true, it ought to be. It will certainly find its way into the Prussian school histories.

Bismarck attempts no recapitulation of his Frankfort diplomacy: that has been fully set forth in his Frankfort despatches and by Sybel. He gives us pictures of princes and diplomatists, some entertaining anecdotes,



and some valuable glimpses of court factions and contending policies at Berlin. Of the same character is his tenth chapter, on his life at St. Petersburg. New, in part, and very interesting is the antecedent history of his entry into the Prussian ministry. Frederick William suggested this more than once; and in 1856 he said: "You have got to be minister." Bismarck, however, did not take this seriously: the King, he believed, was playing him off against Manteuffel in order to bring the latter to terms. Nor did Bismarck desire to be minister under Frederick William, for the King expected from all his ministers absolute obedience. From 1860 on, William repeatedly considered the question of making Bismarck a minister. On this point Bismarck's narrative confirms Sybel's story—a story which Marcks, in his *Kaiser Wilhelm I.*, has treated as a legend. At the same time Bismarck partially confirms what Marcks says of William's disinclination to make the appointment: the King, as Bismarck notes, was decidedly cool to him. Augusta opposed the appointment; and letters from Roon to Bismarck show the importance that was attached to her opposition. During Bismarck's brief stay in France, in 1862, Napoleon III. offered to conclude a formal alliance with Prussia, asserting that he had himself received a similar offer from Austria. The telegram from Roon which summoned Bismarck back to Berlin is given: it read "*Periculum in mora.*"

Before giving us any of his reminiscences as minister, Bismarck interpolates a remarkable survey (Ch. XII.) of Prussian policy from 1790 to 1862, summing it up in the apothegm: "It is frequently less dangerous to do the wrong thing than to do nothing." Light is thrown on Bismarck's policy during the Polish insurrection by a study of the contending factions at the Russian court. Bismarck desired Russian friendship, but not an alliance. In 1863 Russia offered an alliance against Austria; but this, like Napoleon's offer, was declined. Bismarck was never disposed to ally his state with any power which, after victory, might exercise a predominant influence. In noticing the opposition of the Crown Prince throughout the *Confliktzeit*, Bismarck represents himself as having repressed William's desire to deal sternly with Frederick, but the narrative should be read in connection with the documents printed near the end of Busch's second volume. In describing Austria's attempt to increase her ascendancy in Germany through the Congress of Princes (1863), Bismarck points out that the effect of Prussia's abstention was to frighten the smaller states. These were willing to go into any arrangement in which they could play off Austria against Prussia and Prussia against Austria, but they were quite unwilling to deliver themselves into the hands of either power alone. Their refusal to go with Austria gave offense to that power and paved the way for the Austro-Prussian concert and the joint intervention in Schleswig-Holstein. In explaining this phase of Austrian policy, much stress is also laid upon the friendly relations which Bismarck had established with Rechberg at Frankfort. The war with Austria became inevitable when Rechberg was driven from the premiership and this was due not so much to the Schleswig-Holstein

question as to Prussia's unwillingness to make any concessions to Austria's desire to enter the Customs Union. These concessions were refused, against Bismarck's judgment, by his colleagues in the Prussian cabinet. In this part of the narrative, and especially in Chapter XVII., there is much to confirm Sybel's contention that Bismarck would have been content with a joint control of Germany by Austria and Prussia, and that it was only the failure of this experiment that compelled Prussia to drive Austria out of Germany. It may be questioned, however, whether both Sybel and Bismarck were not influenced, in describing this phase of Prussian policy, by a desire to strengthen, or at least not to weaken, the present ties between the two empires. Bismarck's utterances, both in letters prior to 1862 and in speeches after 1866, indicate that he never believed in dualism as a permanent arrangement.

In Bismarck's struggle to restrain the King and the military party after Sadowa, and to secure a speedy peace on terms that would leave no implacable resentment smouldering in Austria, Bismarck tells us that he was strongly supported by the Crown Prince—that it was indeed the Crown Prince who persuaded the King to accept Bismarck's advice. In explaining the concessions made to the Liberal party in 1866, Bismarck frankly admits that "universal suffrage" was inserted in his German programme simply as a weapon against Austria. He tells us also that he never believed in the secret ballot, which robs property of its legitimate influence.

Bismarck's account of the genesis of the war with France is disappointing. He adheres to the statement that he did not expect the Spanish candidacy to become a *casus belli*; he makes no mention of the negotiations that were in progress for a French-Austrian-Italian alliance against Prussia; and he defends his action in forcing the war on one ground only—that Prussia, by submitting to the insults she had received from France, would have lost all influence in South Germany.

As regards the internal politics of Prussia and Germany after 1870, the *Reminiscences* offer little that is new, except that Bismarck repudiates personal responsibility for the mistakes of the "Culturkampf" and for the breach with the National Liberal party in 1879. In the former case the blame is laid upon Falk; in the latter it is divided between the National Liberals, who asked too much, and the King, who was unwilling to concede anything. That the National Liberals were at this time intriguing with Augusta's Tories and Ultramontanes to drive Bismarck from power is a statement that we cannot credit. Politics make strange bedfellows, but hardly so strange a fellowship as this.

As regards the European politics of this period, we learn nothing new. The guiding principles of Bismarck's diplomacy are however set forth in a masterly way in Chapters XXIX. and XXX. He asserts that no firm alliance was, or is, open to Germany except with Russia or Austria; and he thinks that the Russian alliance, had it been possible to maintain it, would in many respects have been preferable to the Austrian, because of Russia's greater internal stability. In speaking of Russia's ex-

periences in the Balkan peninsula, he launches a maxim the truth of which we are learning: "Liberated nations are not grateful but exacting."

The greatest contribution, on the whole, that this book makes to our knowledge of German and European history during the latter half of the nineteenth century is to be found in its gallery of historical portraits. Bismarck's power of delineating character has long been appreciated: his Frankfort letters and despatches gave us striking examples. At Frankfort, however, he drew ministers and attachés; in this book he paints royalties and premiers. The picture of William I. is elaborated with especial care and with evident sympathy; but Frederick William IV., Augusta, Frederick, Victoria and Gortschakoff are made equally real. William II. is not included, for the *Reminiscences* close with the death of Frederick. It has been stated, however, in the German press, that Bismarck has left a third volume which may at some future time be published.

The German edition offered in the United States is not made in Germany. It appears that the Harpers, who have the monopoly of the English version, warned the Cottas that the original German version could not be imported. It is to be regretted that this question was not tested in the courts; but the Cottas presumably acted on the advice of counsel in determining to print and publish the German text in New York. They might, however, have given us a better reprint. Their American edition is compressed into one volume, printed on thin paper of the poorest quality and flimsily bound. It is full of misprints, particularly in the French, English and Latin citations.

The English edition is well printed and bound; and it has a fairly good index, which the German-American edition lacks. The translation is, on the whole, good, but it is over-literal: some sentences are made almost unintelligible by a too scrupulous adherence to the wording of the original. "School" and "college" are hardly equivalents for *Gymnasium* and *Universität*, and "Free-thought party" suggests ideas not indicated by the German *freisinnig*. (The position of this group in the German fractional system would have been best indicated by calling it the Radical party.) And why the uncouth adjective "Frederickian?"

MUNROE SMITH.

*De Soto and His Men in the Land of Florida.* By GRACE KING.

(New York: The Macmillan Co. 1898. Pp. xiv, 326.)

THE attempt of the author to weave into a continuous story the important parts of the several contemporary narratives of the expedition of De Soto, enlightened with modern criticism, is not without success. It has resulted in presenting the history of the conquest of Florida in the most attractive and readable form in which it has yet appeared in English. It makes it read like a romance—a romance tainted with the rapacity and cruelty of the Spanish conquerors. Nor is the work without scholarship, for a careful comparison of the principal accounts with each other and a consideration of more recent historical criticism of the sub-

ject was necessary in order to give the story accuracy, and at the same time to abridge the statements of writers in such a way as not to impair the quality of the work. In this way Miss King has utilized the best of each account in doing justice to adelantado, hidalgos, Spaniards, and Indians, and in representing the facts and true spirit of the expedition.

As the narratives have been abridged and all points in conflict have been omitted it is not necessary to go beyond the author in this brief review to analyze the details of the expedition nor to examine the historical evidence respecting it. The evident object of the writer is to popularize the history of Spanish adventure and discovery, hence the tedious details of historical criticism on controverted or unsettled questions have been studiously and wisely omitted. The author has referred briefly, in the preface, to the important literature on the subject. It is fortunate that there are three reliable contemporary narratives of the De Soto adventure, those of Garcilasso de la Vega, "The Gentleman of Elvas," and Hernandez de Biedma, all of which substantially agree as to the general course of the march, the names of places and the geography of the country. Perhaps there is no other early Spanish exploring expedition so well recorded as this, although there were others more important and better conducted. The questions of the exact route still remain unsettled, although they are determined with sufficient accuracy for the author's purpose. The distance De Soto travelled north after crossing the Mississippi, the course and distance of the journey of Moscoso westward after the death of De Soto, and many other questions of no less importance are still matters of conjecture. The map made by Miss King is too small and too general to admit of critical comparison, but for the indication of the general course of the invaders it serves its purpose as well as the more elaborate map of Delisle or those of his copyists. It has the support of Jones of Georgia and Pickett of Alabama, who have done much to identify the names and places of the Spanish adventure with those of modern times.

The suffering and fortitude of the Spanish explorers are very clearly shown in the story, and in the clear and simple recital of their exploits the poor management of the expedition is everywhere made prominent. Here, as elsewhere, their endurance and bravery came to naught. The thirst for gold, the desire for sudden wealth, so overpowered every other motive as to render futile every effort for successful occupation. Had De Soto been possessed of a rational method and desire to permanently settle the country, he might have been governor of a vast territory which would have brought him wealth and honor, but the Spaniards knew not how to colonize. The cruelty of the Spanish conquerors toward the natives was never made more prominent than in this little story. Without intending to be so it is one of the best descriptions of the habits, customs and character of the natives of the early discovery. The history of no other expedition has brought out these characteristics so well.

Upon the whole the book serves its purpose well, and students and instructors who are seeking familiarity with the early Spanish exploration will read this very readable, well-told story of De Soto with delight.

FRANK W. BLACKMAR.

*History of Brulé's Discoveries and Explorations, 1610-1626, being a Narrative of the Discovery by Stephen Brulé of Lakes Huron, Ontario and Superior; and of his Explorations . . . . With a Biographical Notice of the Discoverer and Explorer. By CONSUL WILLSHIRE BUTTERFIELD. (Cleveland: The Helman-Taylor Co. 1898. Pp. xii, 184.)*

BRULÉ, born in 1592, came to Canada with Champlain in 1608, and two years afterward was sent to winter among "Hurons who lived near a lake which bears their name" (p. 10). In 1615 he was engaged in Champlain's expedition against the Iroquois Onondaga fort, and was detailed to bring an auxiliary force to the siege. He brought it, but did not arrive till Champlain had abandoned the enterprise. Nothing was heard of him during the next three years, but in 1618 he reappeared among the Hurons who had come for trade at Three Rivers, and told of wanderings down to Chesapeake bay. He was soon employed on a salary of a hundred pistoles as a commercial traveller for persuading the aborigines to bring their furs into French settlements. In 1621 he traded and explored north from the Hurons and afterward westward, possibly reaching Lake Superior. Later, after a journey in the Neutral Nation, he told a missionary "wonders" about them. In 1629 when English invaders lacked a pilot up the St. Lawrence, he was easily bribed to furnish what they needed, becoming on a small scale a Benedict Arnold, and with better success. When Canada became French again, or sooner, he went to live among Hurons, till in 1632 he was killed and eaten by them.

These incidents—matters of common knowledge to readers of Parkman, Winsor, etc.—are the warp and woof of Mr. Butterfield's work. They hardly demand or warrant a two-dollar volume of well-nigh two hundred pages. More than a third of the book, however, consists in notes, which are swelled by something of irrelevant padding. Then criticisms on other writers are multitudinous. Some hole is found, or fancied, in all their coats, "and faith! 'tis printed." Among those thus touched with an Ishmaelitic hand are Parkman as to Brulé's name, etc., Shea as to Daillon, McMullen as to the Mississippi, Garneau as to Récollets, Geddes, Clark and Marshall as to Onondaga, Winsor as to Manitoulin, Neill as to Chesapeake, Slafter as to Three Rivers, Kingsford as to Ontario, Guss as to Capt. John Smith, etc.

The contention of Mr. Butterfield is that he has proved what has always been admitted to be possible, indeed probable, that Brulé was in some sense a four-fold Columbus—first to go down the Susquehanna, and first to discover Lakes Ontario, Huron and Superior, and by a sort of anti-climax, first to shoot Lachine rapids.

Our author's pages are always instructive, though in many of them his hero is conspicuous only by his absence. His geographical details are helpful in identifying localities. His keen exposures of many a minor error will be accepted with thanks by a score of victims humbly kissing

the rod. His extracts from rare authors, as Champlain and Sagard, especially those in the original French, will be gratifying to every thorough student.

But Brulé's champion brings forward no new authorities, no newly discovered fact, to thicken the old proofs that did demonstrate thinly. Thus, when Brulé came down from his winter among the Hurons he is stated to "have given Champlain a lengthy account of all he had seen and heard" (p. 20). If he said he had seen Lake Huron, Champlain's journal would have told us so. He does tell us that "four men assured him they had seen that sea" (p. 131). Brulé was not one of them. Huron water was not visible from all parts of the broad Huron land. The Susquehanna story, supported only by Brulé's word, must in Champlain's later years have seemed to him a trifle light as air. His estimate will appear as we proceed. In regard to Lake Superior, Mr. Butterfield makes much of a copper ingot brought by Brulé to Sagard (p. 105). Yet he must know that such floats are still picked up several hundred miles from that lake. He expatiates more largely on a remark of Sagard that "Huron and the large lake beyond it together extended about thirty days' voyage with canoes according to the statement of the savages and of the interpreter four hundred leagues" (p. 161). His words are in French, "*trente journées de canots selon le rapport des sauvages et du truchement quatre cent lieues de longueur*" (p. 171). These words seem to be used merely as alternative phrases to show the Indian and the French modes of indicating one and the self-same distance.

But our author finds the last clause, in Italics, omitted in Champlain's *Voyages*, edition of 1632. These words were doubtless left out either as unimportant, or because the edition was an abridgment. He however charges the omission to the Jesuits, and moreover finds it big with latent meaning. It proves Brulé's personal inspection of Superior (p. 157). Indeed, he adds (p. 157), "the presumption is strong that Brulé's journey was not ended until he entered the mouth of the St. Louis river at the head of the lake." What a mountain is born from a mole-hill! If Brulé really penetrated to that utmost corner it is a pity that he ever came back to prove a traitor. Champlain's verdict cannot be reversed; Brulé, he says, "was paid a hundred pistoles for inciting the savages to trade. It was an evil custom thus to employ men of such bad lives that they ought to be severely punished. He was known to be very vicious and licentious." His epitaph may well be: Outcast from both English and French, he was deservedly eaten up by savages who, as Mr. Butterfield holds, believed cannibalism the most intense expression of detestation (p. 166).

JAMES D. BUTLER.

*Home Life in Colonial Days.* Written by ALICE MORSE EARLE in the year MDCCCXCVIII. (New York: The Macmillan Company. 1899. Pp. xvi, 469.)

THE reading public is sure to be favorably disposed toward a new work by Mrs. Earle. Her studies of the life and manners, the employ-



ments and appliances of the earlier generations on our soil have borne not only abundant, but remarkable fruit. We can recall at least ten books that she has published within this decade, and all of them are closely related to colonial history. Indeed the word colonial seems to have a subtle charm for her, as it has for many others, especially since the Revolutionary centennial observances which brought us all a fresh inspiration.

The new method of writing history, adopted by Green, McMaster, Fiske and others, has taken hold of the popular imagination and aroused a degree of enthusiasm for what may be called the social side of life, never exhibited before. This has favored the organization of patriotic orders and local historical societies with interesting collections of relics, and has created a demand for a more adequate literary interpretation of the real life of the olden time. Mrs. Earle has happily caught this spirit, and with excellent judgment has taken the tide at the flood, and availed herself both of the newly-gathered materials and of the quickened public taste, and with rare industry has associated her name permanently with this engaging field in American history. While she would doubtless consider herself the product of the new period she is to be credited with being one of its chief promoters.

*Home Life in Colonial Days* is not a repetition of the substance of the author's previous publications, though from the nature of the subject it would seem difficult for her in some cases to avoid it. Her laboratory must be well furnished, or she could not turn out another distinct and comprehensive volume like this. We hardly know whether to commend her more for her zeal in acquiring or her facility in distributing her knowledge. The key to the book is found in the word Home and whatever is associated with it; and as the colonial home was generally a country home we are introduced into an atmosphere which savors of the farm. Whoever has been brought up in a farm-house will relish these vivid descriptions of its old traditional life. The seventeen chapters seem to cover the field exhaustively, and yet we imagine the writer's portfolio may contain supplementary fragments, not treated here, of sufficient consequence to fill another volume.

One advantage of the present book is that while it deals with a single and well-defined subject from beginning to end, each chapter may be read at any time by itself as a separate monograph. Thus the matter of lighting the early homes is traced from pine-knots to candles and oil lamps. This involves a description of each article and of the way in which it was made, including also candlesticks, snuffers and tinder-box. Many readers would turn first to the chapter on The Kitchen Fireside, that centre and source of the old domestic life. Here we have the glow of the log-fire, the crane and pothooks, the great kettles and skillets, the toasters and roasters, not forgetting the warming-pan that hung hard by. Then follows The Serving of Meals, with an account of the board and board-cloth. They had napkins (but no forks for a long time), wooden trenchers, spoons and tankards, pewter plates and porringers, leather mugs, Dutch jugs and cocoanut cups. Among the foods described, Indian



corn has a deserved place of honor. Nearly a hundred pages are devoted to the important home industries of spinning and weaving; and the subject is so thoroughly treated that any woman, who wishes to know what it all meant to our grandmothers, will find the mysteries more fully explained here than anywhere else. The account of Hand-weaving is the most complete of any in the book. Girls' Occupations, and Dress of the Colonists, suggest what the feminine reader will be grateful for; and Jack-knife Industries will show that Yankee whittling was done to some purpose. The chapter on Travel and Taverns is not, strictly speaking, as appropriate for this work as for some other which the prolific author might be meditating upon. The same might be said of the fifteenth chapter—Sunday in the Colonies—which would seem to have belonged to the author's well-known *Sabbath in Puritan New England*. However, both of these chapters have a certain connection with the home, and no one need object to the place they occupy here. To write of Colonial Neighborliness in connection with the home was a happy thought, and one that hitherto has not received due attention. "It may seem anomalous to assert that while there was in olden times infinitely greater independence in each household than at present, yet there was also greater interdependence with surrounding households." This proposition is well worked out. The book closes with a charming account of The Old-Time Flower Gardens.

One is surprised to learn how many words which were in common use in former generations are now obsolete with most of us, *e. g.*, huckabuck, noggins, giskin, covercles, twifflers, voider, barbels, guiddonies, pomace, niddy-noddy, thrums, skarne, skilts, weft, mazer and a host of others. Many long-forgotten books also are quoted which elucidate old customs. The Middle and Southern colonies furnish their share of the material of the book, as well as New England. On page 125 an error is noticed in the sentence "not in the waters, but of it," and on page 389 "has gone all traces." In one or two chapters unnecessary expletives appear, *e. g.*, "exceedingly richly;" "early inventories and lists;" "discarded or disregarded;" "usages and customs;" "distinguishing and individual;" "space and locality;" "distinctly and rigidly;" "absorbing and assimilating;" "unexpected and premature."

The author acknowledges her indebtedness to the valuable collections of several of the state historical societies, the Bostonian Society, the Essex Institute, the American Antiquarian Society, the Deerfield Memorial Museum and the Smithsonian Institution. There are about 150 illustrations which shed much light upon the text. Most of them are new; and many of them are of objects of household use which have passed entirely out of sight, and of which the average reader of to-day would hardly know the name. To show how some of the industries were conducted, the writer has taken pains to set up some of the old apparatus in complete working order, and to place women, clad in ancient dress, in the proper attitude of operating it; then she has had these groups photographed. One might fancy that she herself may have posed for the figure

shown in Candle-Dipping, or in Flax-Spinning, or in Silk-Braiding, or in Soap-Making.

One pleasure which the historical student has in Mrs. Earle's writings is that they all deal with facts, wholly apart from the creations of fancy. So many writers have attempted to handle the two together that the historical part has been distorted, and often hopelessly confused with the fictitious. The linen cover of the volume is ornamented with a device in the style of a sampler, wrought in the old cross-stitch needle-work—an appropriate symbol of the Colonial Home.

EDWARD G. PORTER.

*Historic New York*, being the Second Series of the Half-Moon Papers. Edited by MAUD WILDER GOODWIN, ALICE CARRINGTON ROYCE, RUTH PUTNAM and EVA PALMER BROWNELL. (New York: G. P. Putnam's Sons. 1899. Pp. xii, 470.)

THERE is no lack of system and careful supervision in the publication of *The Half-Moon Papers*, the second series of which appears under the title *Historic New York*. These monographs, upon topics relating to the history of New York City, were originally intended to meet the demands of students in classes organized by the City History Club. The first series, edited by Maud Wilder Goodwin, Alice Carrington Royce and Ruth Putnam, was the most successful effort ever made to popularize the history of colonial New York. The second series, which has the services of a fourth editorial associate, Eva Palmer Brownell, shows no diminution in any essential excellence. The present volume contains twelve monographs, each with an appropriate bibliography, and there is an index to the whole work which seems to be adequate. In the bibliographies no important omission is noted unless it be the Tory history of New York by Judge Jones.

Edwin Vernon Morgan writes upon "Slavery in New York, with special reference to New York City." It is to be regretted that Mr. Morgan has not enlarged his otherwise excellent essay with a more complete account of the Negro plot of 1712 and of the panic of 1741. The latter event is closely comparable in New York history with the Salem Terror in Massachusetts in 1693. It deserves more space. A concise history of Tammany Hall comes from the skilful hand of Dr. Talcott Williams. The only fault of the sketch is its brevity. Surely, for the purposes of the History Club, the Croker period, virtually omitted here, is the most important of all.

"Old Prisons and Punishments," by Elizabeth Dike Lewis, is a model of its kind; so also is "The Bowling Green," by Spencer Trask. The City Hall Park and the Bowling Green are the two "Commons," which, in New York's history, correspond to the famous "Common" in Boston. In historic action and interest neither of them needs to fear comparison with the sod so sacred to every Bostonian. In City Hall Park stood the liberty pole, chief cause of the battle of Golden Hill.

Here Hamilton spoke. Here still stands the old jail where the patriot McDougall was confined in 1770, and where Provost Cunningham, in 1777, brought his drunken guests after dinner in order that he might "exhibit his prisoners as one would a cage of animals. 'There is that damned rebel, Ethan Allen, sir,' he shouted, 'Allen! get up and walk around.'"

"The New York Press and its Makers in the Eighteenth Century" is the joint contribution of Charlotte M. Martin and Benjamin Ellis Martin. It lacks, first, a few paragraphs of quotation from the articles for which Zenger was arrested, and, secondly, a suitable account of William Livingston's lively *Independent Reflector*. Out of the fulness of his knowledge Berthold Fernow discourses upon "New Amsterdam Family Names and their Origin." Elizabeth Brown Cutting makes a careful, scholarly study of "Old Taverns and Posting Inns," doing full justice, of course, to Fraunces's famous tavern. "The Doctor in Old New York" is the subject assigned to Dr. F. H. Bosworth; who traverses the period from the beginning to the Revolution. The first accredited doctor in the city was John La Montagne, who arrived there in 1637. He was a schoolmaster and a politician as well as a physician, was appointed a member of the governor's council and commanded a garrison of fifty men at the Hope, which was the Dutch fort at Hartford, Conn., not at New London, as Dr. Bosworth seems to think. Emma Van Vechten describes "Early Schools and Schoolmasters of New Amsterdam," the substantial part of her work being the early history of the still existing "School of the Collegiate Reformed Dutch Church of New York." It was founded in 1633 and placed under the care of Adam Roelantsen, who took in washing to eke out his slender stipend. Dr. William R. Shepherd writes acceptably of "The Battle of Harlem Heights," basing the story chiefly upon Professor Henry P. Johnston's admirable monograph. "The Origin of Breuckelen" is explained by Harrington Putnam. The last study in the volume, "The Neutral Ground," by Charles Pryer, presents some picturesque anecdotes of the depredations of Royalist Cowboys and Patriot Skinners in Westchester County, but it is scarcely up to the standard set elsewhere in the volume. References to authorities are inadequate, no map of the region is shown, and there is no mention of the André case, which is the most famous tragedy of The Neutral Ground.

This volume, like its predecessor, is finely illustrated and beautifully printed. In view of its professed purposes it has one serious defect. That is the limitation of each monograph by the attempt to crowd twelve of them into one issue. If the editors would publish but five or six of these excellent studies in a year, they might insure adequate treatment for each topic. Such a subject as Tammany Hall ought to have one volume to itself. The substance of *The Inferno* cannot be profitably condensed within the fourteen-line limits of a sonnet.

*The Provincial Governor in the English Colonies of North America.*

By EVARTS BOUTELL GREENE, Professor of History in the University of Illinois. [Harvard Historical Studies, Vol. VII.] (New York and London: Longmans, Green and Co. 1898. Pp. x, 292.)

ENCOURAGING signs are beginning to appear that scholars are seriously attempting to work out the history of the American provinces, as distinguished from the history of the New England colonies. The subject is also being approached necessarily and properly from the institutional standpoint. Mr. Greene has made a valuable contribution to the work in his monograph on the Provincial Governor. It is a comparative study of the office of governor as it developed in the proprietary and royal provinces. After an introductory chapter in which he briefly traces the evolution of proprietary and royal government and shows how in their normal forms they were essentially the same, he discusses the evolution of the provincial executive, the governor's appointment, tenure of office and emoluments, his position as an agent of the home government, his relations with the council, his executive powers, his relation to the judiciary, and in three chapters the action and interaction between him and the assembly. Certain typical commissions and instructions are printed at the close of the volume. The material for the work has been drawn almost exclusively from accessible printed sources; no attempt has been made to render it more complete by resort to matter still in manuscript. At the present time and in a subject of this nature, such a course was doubtless wise, for enough of the commissions and instructions and of the colonial laws and records are in print to enable one to draw from them a fairly accurate and satisfactory account of the provincial governor as an official. That Mr. Greene has done. By research among archives he might have made his account of the office more exhaustive, but in its outlines, its main features, it would not have been essentially changed. He has conferred a greater favor upon students by issuing his book thus early, than he would have bestowed by such increased perfection of detail as might have resulted from prolonged investigation. He has shown care and good judgment in the treatment of the material at his command; his attitude is impartial, his conclusions are conservative. The result is that we now for the first time possess a monograph from which one may learn what position was occupied by the chief organ of the provincial executive within the system of which he formed a part.

But the subject is broad. In its treatment much had to be said about the legislature, the judiciary, relations with the home government, the provincial system in general. The council necessarily received much attention. The executive, or even a part of it, could not be treated except in connection with the whole organism. The printed authorities alone afford only a fragmentary view of the provinces. Even these authorities Mr. Greene could not be supposed to have read or

digested, so as to have produced from them a rounded and fully proportioned picture of what the provincial governor was in all his forms and relations. Mr. Greene rather has extracted from such sources as were at his command the material which suited his purpose and which could be presented within the limits of his book. If one then should say that the treatment is somewhat incomplete, or even fragmentary, if one might think that in many instances other illustrations could be selected which would prove the points that he wished to make quite as well as, or in some cases even better than those he has chosen, the critic would not thereby reflect at all upon Mr. Greene's diligence or cast any doubt upon his success, but would simply suggest that the subject is too broad to be fully treated within the limits set and too new to be adequately treated as yet by any one. For a considerable time to come, in all matters relating to the colonial period of our history, we must be content with results which are relatively satisfactory and complete. Much more work, I take it, must be done, in social as well as political history, the conditions actually existing in the different provinces must be understood and distinguished much more clearly, we must know better than we now do how much effectiveness there was in the support given by the home government to the governors, before we can fully estimate their position. And how can any of these results be attained until the documentary and other sources of our early history are made much more accessible in print, and until they have been more scientifically studied than has been common until recent years?

Mr. Greene, in speaking of tenure of office, might profitably have referred to the fact that royal governors were frequently transferred from one province to another and have taken this into account in estimating the permanence of tenure. Andros and Nicholson are notable instances in point. He seems uncertain as to the time when the treasurer was added to the officials of New York. This was done in the fall of 1706, as is shown by the governor's speech at the opening of the September session of that year, and by the *Laws*, Chap. 159. On pp. 145 and 155 he speaks of the Massachusetts charter of 1691 and the Pennsylvania "charter" of 1701 as if they were documents of the same character and class. He would have found in the history of the Third Intercolonial War better and more numerous instances of the designation by the assembly in New York of commissioners to control military affairs, and of the confusion occasioned thereby, than he has given. On p. 138 he refers to Chalmers as authority for the statement that the erection of a court of exchequer by Gov. Nicholson of South Carolina was illegal, but Chalmers is speaking in that passage concerning Gov. Johnston of North Carolina. Mr. Greene's manner of referring to the volumes of the *Maryland Archives* is confusing rather than helpful. I may conclude this criticism of a book for which substantial praise is due by suggesting that the addition of a chapter on the relation of the governor to the land system, and of another on the ecclesiastical side of his activity, would have made it more complete and valuable.

HERBERT L. OSGOOD.

*Philadelphia; The Place and The People.* By AGNES REPPLIER.  
(New York: The Macmillan Company. 1899. Pp. xv, 392.)

EXPLAINING in a literary journal why she wrote this volume, Miss Repplier said, with a candor equalling her brevity, "because the publishers gave me the work to do." No doubt the mandate of a publisher is something like the invitation of the Queen, and yet we must hesitate to affirm that it is the most adequate and satisfactory *raison d'être* for historical work. For if the Muse of History be not so jealous a mistress as she of the Law is proverbially alleged to be, she still is not without her exacting views as to the nature of a preparation for service in her train.

This book is not, however, in the strict sense a history, and the title-page, it will be observed, does not so designate it. Miss Repplier, whose success as an essayist is well known, has made for us an extended essay—not a study—upon the experiences and qualities of those people who lived, or who persist in living, on the site selected by Penn's Commissioners in 1681 for his city on the Delaware. Her purpose, well fulfilled, is to make a readable volume, and she has applied a light and graceful touch—sometimes disclosing the firmness beneath—to her work. Her vein of humor, with a dash of satire, "carries off" episodes and situations over which a more laborious writer might easily tire us. Her introductory chapter is itself an essay—something like the sketch in miniature which the etcher places at the bottom of his picture—and discusses the general character of Philadelphia. "Every community," Miss Repplier says, "like every man, carries to old age the traditions of its childhood, the inheritance derived from those who bade it live. And Philadelphia . . . still bears in her tranquil streets the impress of the Founder's touch. Simplicity, dignity, reserve, characterize her now, as in Colonial days. . . . To those who by right of heritage call themselves her sons, and even such step-children as are, by nature or grace, attuned to the chill tranquillity of their foster-mother, Philadelphia has a subtle charm that endures. . . . In the restful atmosphere of her sincere indifference, men and women gain clearness of perspective, and the saving grace of modesty. . . . More impetuous towns speed like meteors on their paths . . . but the Quaker City sees them rush by without envy, without ambition, without distaste, without emotions of any kind."

The chronological order of events is observed, but not closely followed, and as certain themes are presented, the "birth of Learning," the formation of the Philosophical Society, the founding and growth of the College and University, the establishment of the Hospital, the trials and tribulations of the drama, the rise of the dancing assemblies, in general the social conditions at different periods—these are treated topically, and carried beyond the immediate time of the narrative. It is in these that we find Miss Repplier—as indeed we should expect—to please us best; her art of dealing with phases of life and aspects of society is always past denial. The book may thus be said to refer to cults and conditions more than to persons and events. Indeed there are relatively few persons who



appear, and if there were an index—as unhappily there is not—it would present but a thin list of individualized figures. Franklin's name occurs often, and he receives the high consideration that can never be denied him, while William Penn is always kindly and respectfully treated. The book is dedicated to his memory, and in the introduction it is said that while Philadelphia owes a debt of gratitude to the many hands that have labored in its behalf, “deepest of all is her debt to Penn, who knew her little, but who loved her well”—an antithesis which in its primary member might perhaps be challenged, for Penn no doubt knew Philadelphia very well, as long as he had the mind left to know much of anything.

To hunt for errors of statement in so debonair a volume would be ungracious, if not indecent. A wicked misprint (p. 3) makes Thomas Fox out of Thomas Loe, the preacher who converted William Penn to Quakerism. Alexander Graydon, he of the *Memoirs*, is called “Dr.” Graydon repeatedly, though he was innocent of such a degree, in medicine, divinity or otherwise. Hannah Penn is said (p. 57) to have had three sons; she had a fourth likewise, Dennis, who nearly reached manhood. We are told (p. 57) that “his scapegrace son William” accompanied the Founder on his second visit to Pennsylvania, in 1699, and that when the latter returned, 1701, he “was left in the colony,” both these statements being in error. Young William came over—with that cranky youth Governor Evans—in 1704, and returned to England the same year. It is said (p. 65) that the proprietary rights in Pennsylvania passed on Penn's death “to his widow, for the worthless son did not long survive his father,” this being wrong in one particular and misleading in another; William did not inherit the proprietary rights, nor did the widow—they went to her sons, who after Dennis's death were three, John, Thomas, and Richard. It is said (p. 54) that after the Revolution “of 1689” in England, Penn “was promptly deprived of his proprietary rights.” As the appointment of Col. Fletcher (by which Penn was deprived of his power of government), occurred in October, 1692, nearly four years after William put James out of England, this can hardly be called “promptly,” and a similar remark, though reversed in form, might be made concerning the statement that “after years of trouble and disrepute” the government was restored to Penn; really the suspension of his authority lasted some twenty-two months.

There are some good illustrations in the book, by E. C. Peixoto, and some that are so exceedingly “sketchy” as to be of no service in such a work. A fine example of the latter is “A Site for a Fair City,” which appears to be an “impressionist” view of a spring freshet on some inland creek. The legends under the illustrations are in several cases quite inappropriate.

HOWARD M. JENKINS.



*A History of the Baptists of the Middle States.* By HENRY C. VEDDER, Professor of Church History in Crozer Theological Seminary. (Philadelphia: American Baptist Publication Society. 1898. Pp. v, 349.)

THIS volume has many excellencies. It contains eleven chapters together with half-a-dozen appendixes. The subjects of the chapters are as follows: Early Days in New York; Early Days in New Jersey; Early Days in Pennsylvania and Delaware; Growth of Organization; The Western Movement, its Result and Significance; Evangelism and Revivals; The Period of Controversies; Baptists and Education; Work for the Young—The Publication Society; Baptists and Bible Work; A Comparative Study of Progress. Several of the appendixes set forth the results of interesting and profitable studies in statistics.

The American Baptist Publication Society is making advances in various directions. The above is the second of a series of five volumes which are intended to describe the history of Baptists in every section of the United States. As the Baptists of the Middle States beyond question have shaped the development and doctrine of Baptists throughout the country, one could wish that Professor Vedder's volume had been given the first place in the series.

It is rare to find a book of so much insight and that so abounds in wise and suggestive thoughts. It concedes that Arminian Baptists had the ascendancy in America until the year 1742, at which time Philadelphia Association adopted a Calvinistic Confession of Faith and threw herself heart and soul into the religious movement of the eighteenth century. At that time it gained the hegemony of American Baptists. It has held this hegemony ever since. Its influence has been paramount. To be sure Southern Baptists, since the separation that took place in 1845, have been in large measure shut away from the development of Baptist life and thought in other portions of the country. That isolation has resulted in a good many instances in a type of doctrine and practice hitherto unknown among Baptists. But the isolation of Southern Baptists is not at present so pronounced as in former years, and there is reason to hope for better things, and for a return in due season to the views advocated by Baptists in other portions of the world. That process might have been promoted if Professor Vedder could have supplied a chapter on the history of Baptist doctrine in the Middle States.

The enlightened action of Philadelphia Association in connection with the Great Awakening is clearly set forth. She entered heartily into the revival, and her courage and conduct in connection with it are the crown and marvel of Baptist annals. First, she put her own house in order, a work that was accomplished as early as 1742. Then she laid hold upon the General Baptists in South Carolina, and in 1751 organized Charleston Association to keep the territory she had gained there. Next she captured the flourishing General Baptist interest in North Carolina, and in 1758 Kehuke Association was set up in the place of it. After-

wards she captured the General Baptists in Northern Virginia and founded Ketoc-ton Association to hold forth the word of life as she understood it. As early as 1764 she began to wrestle with the Baptists of New England, and established Rhode Island College as an outpost. In 1767 Warren Association was organized with particular reference to the large and influential Separate Baptist interest, and not without reference also to the General Baptists, who had held the ground before the arrival of the Separates. By this means she shortly captured Isaac Backus, and with him ultimately nearly all the Separate Baptists of New England. The Separate Baptists of the South had grown too strong to be entirely swallowed up, but in 1787 she quietly effected a union with them in Virginia, which practically gave her control of all the Separate Baptists of the Southern and Western states. These were masterly strokes indeed. In the short period of forty-five years Philadelphia Association had brought the Baptists of the whole country to submit to her leadership. The Church of Rome can hardly exhibit a like record of vigorous and splendid achievement. And the right hand of Philadelphia has not yet forgot her cunning.

Professor Vedder renders it still more apparent than it had been before that the coming of Luther Rice was the most important event in Baptist history of the nineteenth century. We have never been able hitherto to estimate correctly the proportions of this extraordinary person. He was the magician of American Baptist life. Mr. Rice moved his wand and almost in an instant the scattered Baptist churches of the United States were changed into a Baptist Denomination. At his instigation the General Convention of the Baptist Denomination in the United States for Foreign Missions was organized in 1814, when possibly for the first time the title "Denomination" was officially applied to our people. Nothing is so great as a great man. Mr. Rice introduced the enterprise of foreign missions among American Baptists. Mr. Rice also introduced the enterprise of domestic missions among American Baptists. Mr. Rice established Columbian College and gave an impulse to Baptist education in all sections of the country. Mr. Rice was closely connected with the origin of the Publication Society. Likewise was he connected with the *Columbian Star*, and so imparted a momentum to the Baptist press which it has never lost. As a result of his activity state conventions sprang up in many quarters to promote the cause of missions, and in a few years the constitution of the Baptist denomination was changed in a marvellous fashion. Finally, Mr. Rice became the occasion of a wide-spread schism between Baptists of the "Old School" and Missionary Baptists.

It was fitting that a spirit so great and fruitful should experience contradictions. Mr. Rice had his limitations. These brought him countless sorrows, but he bore them all with the humility of a saint and the patience of a hero. Professor Vedder shows that Rice was in no sense a business man and did not understand the science of book-keeping. He was accused of mismanagement and even of peculation. By the year 1826 the General Convention had become financially embarrassed.

Those limitations and this embarrassment produced in their turn some beneficial changes in the constitution of the Baptist denomination. A tendency towards centralization had been developing very strongly in the General Convention. In 1817 the body had taken up the work of home missions in addition to foreign missions, and later it had assumed the burdens and management of Columbian College. When the crash befell in 1826, this tendency to centralization was checked and crushed. The General Convention washed its hands of the cause of home missions and also of the cause of education. Columbian College was set adrift to provide for itself, and the work of home missions was discontinued until the year 1832 when a separate and independent society was organized to care for it. The Publication Society was likewise able to maintain a separate and independent existence, and in 1888 the American Baptist Education Society, another separate and independent institution, was established to provide for the interests of Baptist learning. The failures of Luther Rice left as broad and beneficent a mark upon the constitution and history of the Baptist denomination as his successes. American Baptists have never yet done justice to the colossal figure of that extraordinary man.

The second Church of Swansea, Mass., referred to by Professor Vedder in a footnote on page 54, is the body mentioned by Benedict, *History of the Baptists*, Boston, 1813, I. 427, and not the body mentioned by Backus, I. 450.

WM. H. WHITSITT.

*The Making of Methodism: Studies in the Genesis of Institutions.*

By JOHN J. TIGERT, D.D., LL.D., Editor of the *Methodist Review*. (Nashville: Barbee and Smith. 1898. Pp. xiv, 175.)

DR. TIGERT is well known to students of American church history as the author of a very able *Constitutional History of American Episcopal Methodism*. The present work treats the same themes topically instead of chronologically. It comprises in all thirteen chapters. Two of these trace the origin and development of the peculiar Episcopacy of American Methodism, two are devoted to the equally peculiar Presiding Eldership, three relate to the Itinerancy, five to the Genesis of the Annual and General Conferences, and one to the Baltimore Conference System of Government. The title of the book is, therefore, misleading. It treats not of the making of Methodism; but of Methodist ecclesiastical machinery. In the author's phrase, "it is a contribution to the correct construction of our governmental history."

This history is unfortunately crowded with controversy, the dust of which is evident enough in every treatment of it. Dr. Tigert has very definite views of "correct construction;" and these have colored or rather embroidered his account of bishops, presiding elders and ministers. We wish he had permitted the facts to speak for themselves. The value of the work, however, is in the chapters on the conferences and the splendid criticism of the sources of their history. The author has examined

these with great industry and candor, and this reviewer is pleased to verify some very important conclusions. Ezekiel Cooper's printed copy of the minutes of 1785 lies before him. Dr. Tigert did not know of its existence. It is, therefore, a striking proof of his critical sagacity that, as he infers, it *does not contain the prefatory note of the reprinted minutes of 1795* and that the title-page corresponds exactly to Jesse Lee's description of it, viz.: *Minutes of the General Conference of the Methodist Episcopal Church in America.*

Competent judges will dispute none of Dr. Tigert's seven points touching the Christmas Conference; neither will they demur to his conclusion that the General Conference of 1792 was the creature of the yearly assemblies which created the ill-starred council. But the disquisition that follows abounds in needless refinements. The Christmas Conference that constituted the Methodist Episcopal Church in America did not, of course, abolish "the conference." It was itself "the conference" in extraordinary session. It governed subsequent conferences, so far as its work was allowed to stand, and its chief work has stood until this day. The creation of the ill-starred council interrupted the orderly development of "the conference" and might have disrupted the church. The General Conference of 1792 was a return to the fundamental principle implied in the action of 1784, the ultimate sovereignty of the itinerant ministry. And its provision for stated conferences of all the preachers was to prevent any such devices as the Baltimore System or the disrupted council. This, however, did not necessarily destroy the supremacy of the annual conferences. It made it unnecessary to assert it. Dr. Tigert himself points out that up to 1808 "the annual conferences assumed to be fully competent to remodel the superintendency at will." The General Conferences from 1792 to 1808 were convenient instruments only; servants and not masters of the annual conferences. Directly they attempted to be the masters, disruption was threatened; the Delegated General Conference created in 1808 averted the disaster.

All that Dr. Tigert writes about the Baltimore Conference system and the period between 1784 and 1792 is interesting and instructive. But his statement "that government by the conferences passed away forever in 1792" is rather sweeping. On the contrary, Bishop McKendree revived it in his famous appeal to the annual conferences against the action of 1820; he won his notable victory by a return to the early practice. And when assailed for it he defended himself with Asbury's example. And, if this reviewer is not in error, Dr. Tigert in his *Constitutional History* has maintained the validity of such an appeal.

Dr. Tigert never perverts and never suppresses a fact. He is wholly free from the tricks of controversialists. Nevertheless his prepossessions unconsciously determine his phrases, so that inference and narrative are blended sometimes inharmoniously. One of these prepossessions is the independence of the bishops from the authority of the General Conference. This gives a peculiar twist to his statements about them. Note the following, especially the metaphors:

“At this period (1807) little connected with the superintendency was regarded as organized, established, or permanent. Precipitation and crystallization occurred in 1808. At this time the constitution was established. It excepted episcopacy and the plan of General Superintendency from statutory modification by the General Conference.” How deftly the clause “it excepted episcopacy” is introduced! Just as subtle is the other phrase “statutory modification.” Now all that the constitution of 1808 determined was this: Diocesan episcopacy should never be adopted by the General Conference alone. The episcopacy has been modified. But Dr. Tigert calls this “development,” and tells us frankly all about it. He tells us that Asbury maintained the right of the senior bishop to make all the appointments; that McKendree yielded to him the preliminary draft; that Asbury refused to consult the presiding elders; that McKendree refused to make appointments without them; that McKendree doubted the constitutionality of the present “necessary” system; that Bishop Soule’s scruples were silenced at last only by the principle that necessity knows no law. He tells us moreover that the General Conference of 1824 passed a resolution allowing the bishops a choice between “episcopal departments” and “travelling in a circuit after each other.” “The bishops,” he adds, “took different views of *this action of the General Conference.*” A conflict between McKendree and George nearly ended in a rupture of the episcopacy and the church. So that “in 1832 *the General Conference sought again to give relief* and passed a resolution that they deemed it inexpedient to require each Bishop to travel throughout the church during the recess of the General Conference.” To call this “development” rather than modification is an ostrich-like attempt to escape the facts. It were wiser to follow Ranke’s rule and to tell just how things happened.

Nevertheless, this is a noteworthy and invaluable book. No student of American church history can afford to neglect it; and every student of Methodist history will find it indispensable. It is replete with information, accessible hitherto to very few, and is marked throughout with rare insight and logical ability.

CHARLES J. LITTLE.

*The Underground Railroad from Slavery to Freedom.* By WILBUR H. SIEBERT, Associate Professor of European History in Ohio State University. With an Introduction by ALBERT BUSHNELL HART, Professor of History in Harvard University. (New York: The Macmillan Company. 1898. Pp. xxv, 478.)

No one before Professor Siebert has undertaken to make a survey of the whole field of operations of the philanthropists, Southern as well as Northern, who made organized efforts to guide and shelter fugitives from slavery. These efforts were necessarily secret, and it was unsafe to keep records. Fugitives were passed on from one station to another, over lines crossing the Canadian frontier at myriad points, from Michigan

to Maine. Professor Siebert's work has been to piece together a multitude of independent facts, obtained at the cost of immense labor. It is well he began his task while many are living who were active agents of the Underground Railroad. In a few years not one of these will be left to tell his story. As to the total number of escapes it is difficult to make exact estimates. The professor shows that the census reports are entirely unreliable. For instance, the official tables enumerate only 1011 slaves, who escaped in 1850. And yet a record kept by Robert Purvis, of Philadelphia, shows that an average of about one thousand per year, from 1830 to 1860, passed through the hands of the Vigilance Committee of that city alone, while agents in Ohio, in the same period, aided more than one thousand per year on an average, and there was no decrease in activity while the last and most stringent law was on its passage. Southern statesmen in Congress, while urging the passage of the law of 1850, are quoted by Professor Siebert (p. 341) as making these estimates :

"In August, 1850, Atchison, of Kentucky, informed the Senate that 'depredations to the amount of hundreds of thousands of dollars are committed upon the property of the people of the border slave states of this Union annually.' Pratt, of Maryland, said that not less \$80,000 worth of slaves was lost every year by citizens of his state. Mason, of Virginia, declared that the losses of his state were already too heavy to be borne, that they were increasing from year to year, and were then in excess of \$100,000 per year. Butler, of South Carolina, reckoned the annual loss of the Southern section at \$200,000. Clingman, of North Carolina, said that the thirty thousand fugitives then reported to be living in the North were worth at current prices little less than \$15,000,000."

Whether or not these estimates are reliable (and our author does not commit himself to either of them), it is certain that the operations of the Underground Railroad were of sufficient importance to keep both sections of the country in constantly increasing agitation, for a period of more than thirty years. The first impulse of law-loving communities at the North was to respect the guarantees of the Constitution. The number of those who openly declared they would obey the "higher law" was not large; and yet when a slave hunt was in progress on this side of the border, the sympathy of whole communities was enlisted for the fugitives. The operation of the drastic law of 1850 was rapidly doing the work which the superb oratory of Garrison, Phillips, and Douglass, and the burning verse of Whittier, had been only slowly accomplishing. This attempt to nationalize the institution of slavery, and make the whole North a hunting-ground for slave-drivers, was one of the principal causes of the overturn in politics which resulted in the election of Abraham Lincoln. Professor Siebert does not overrate the importance of the Underground Railroad, when he says it was "one of the greatest forces which brought on the civil war, and thus destroyed slavery."

A conspicuous merit of this work is its author's careful reference to the sources of information he has consulted. The authorities for all statements of fact are given in abundant footnotes. He does not yield to the temptation to give in detail romantic incidents of the notable



dashes for freedom which he chronicles, but in every case tells where the full story may be found. He names not only the leaders and heroes of the movement, but humbler devotees to the cause of liberty, to the number of several thousands. In an appendix he gives thirty-five pages of closely printed names of Underground Railroad operators, arranged alphabetically by states and counties, and this is but one of many examples of his thoroughness which might be given. He has not failed to treat with the utmost charity the slaveholders who pursued their fleeing property, and the Northern men who felt it to be their disagreeable duty to abide by the guarantees of the Constitution, and aided in the capture of fugitives. He brings no railing accusation against any, although his sympathy with the hunted bondmen and their helpers is apparent on every page.

In his first chapter Professor Siebert refers to the difficulties encountered in his search for facts, the scarcity of contemporaneous documents, and the value of reminiscences from a great variety of sources intelligently pieced together. He then recites the early provisions for the return of fugitive slaves in the original Constitution, in the Ordinance of 1787, and in the first fugitive slave law of 1793. He next calls attention to the first systematic efforts to provide fugitives with the means of escape, in spite of the law. The secret lines leading to freedom were organized in eastern Pennsylvania, before railroads were known, and they were first called the Underground Road by a puzzled slave-master, who, after searching all other roads in vain, said "his nigger must have gone off on an underground road." The law of 1793, with its summary method of disposing of cases involving the question of human liberty, was freely denounced at the North, and its penalty of \$500 did not prevent its frequent violation. The doubly stringent fugitive slave law of 1850, with its fine of \$1000 and imprisonment, and its acceptance of the word of the slave-hunter, while the alleged slave was given no voice, afforded opportunities for kidnapping free colored people. In many instances, persons who were never before in a slave state, were carried over the border on the pretence that they were fugitives, and they were in good luck if they had some powerful white friends to interfere in their behalf. The chances were they would be hurried to the Gulf States and lose their freedom irreclaimably.

Professor Siebert devotes an interesting chapter to the life of colored refugees in Canada. The good will and justice there received offset in some measure their suffering from the rigors of the climate. In another chapter the curious fact is brought out that some of the most active helpers of runaways were Southerners by birth and education. Indeed, the reputed president of the Road, who personally aided more than three thousand slaves in their flight, was Levi Coffin, of North Carolina, whose cousins Vestal and Addison Coffin were also active in the same work. These Coffins, by the way, were descendants of Tristram Coffin, the founder of Nantucket, a branch of whose family went South early in the last century. They were, therefore, kinsmen of Joshua Coffin of New-



buryport, one of the original thirteen of Garrison's disciples, who repeatedly risked his life in helping back to freedom colored men who had been kidnapped at the North and taken to the extreme South. Whittier has drawn his portrait in his poem, "To My Old Schoolmaster."

One of the features of the underground service commented upon by our author was its effect as a safety-valve to the institution of slavery. If some of the abler men like Douglass had found no other means of escape, they might have organized formidable insurrections. Many slaves were the sons of masters, and it would be strange if they did not inherit some instincts that might prove dangerous to the institution which degraded them. Some masters were found who had not the heart to enslave their own children, and who sent them to the best schools in Canada. It is not generally known, but it is true, that two of the ablest and best beloved priests in the Roman Catholic Church in this country are sons of a master who thus provided for them and who gave freedom to their mother. One of these sons, who might have been a slave, is now a bishop. He is a cousin of the escaped slave, Ellen Craft, their mothers being sisters, and like her he has only slight trace of his negro origin. The writer of this review had the story from Ellen Craft herself, who called upon her cousin when she last visited this country.

Professor Hart, of Harvard University, contributes an introduction to this valuable work, in which he calls attention to the points upon which Professor Siebert's immense labor throws new light.

SAMUEL T. PICKARD.

*The True History of the Missouri Compromise and its Repeal.* By Mrs. ARCHIBALD DIXON. (Cincinnati: The Robert Clarke Company. 1899. Pp. xii, 623.)

Mrs. DIXON is not pleased with the historians who have written of the Missouri Compromise and its Repeal. In her judgment none of them have treated these important measures adequately and most of them have added misrepresentation to their other shortcomings. She has undertaken, therefore, in the interest of truth and justice, to set forth "a clear statement" of the facts. While Mr. Dixon, naturally, figures rather prominently in the book, the great burden of it proves to be the cupidity and aggression of the North. We are told that these unfortunate traits became prominent as early as the date of the Federal Convention; that three of the New England states, striking a bargain with South Carolina and Georgia, fastened the slave-trade upon the country for twenty years and that our subsequent national calamities were largely the fruit of this base triumph of greed over principle.

The debates of the convention on the slave-trade may not be altogether pleasant reading, but Mrs. Dixon does the Northern representatives scant justice. Some of them believed with Oliver Ellsworth that "slavery in time will not be a speck in our country," and this conviction served to gloss and disguise "the compromising;" others felt that

Congress, in ultimately securing control of the traffic, which it did not possess under the old confederation, gained a great point. Besides, Roger Sherman voiced the general sentiment when he said that it was "better to let the Southern states import slaves than to part company with them." As the choice seemed to be between twenty years of slave-trade and anarchy they chose the former. Madison approved of this choice at least after it was made. "Great as the evil is," he said in the convention of Virginia on the adoption of the Federal Constitution, "a dismemberment of the Union would be worse."

Mrs. Dixon contends that the defeat of Charles Pinckney's motion to postpone the report of the committee on the slave-trade and take up the navigation act fastened this traffic upon the unwilling South, because the North would never have agreed to the report if a two-thirds vote should be necessary to pass a navigation act. Suppose "the compliance" with certain Southern states had failed, what then? "Do we remedy the evil?" asked Iredell in the convention of North Carolina. "No, sir, we do not. For if the Constitution be not adopted, it will be in the power of every state to continue it forever." He considered the concession agreed upon, such was the attitude of South Carolina and Georgia, "the utmost that could be obtained."

It does not seem to have occurred to Mrs. Dixon that the opposition of Virginia to the continuance of the slave-trade might have been inspired quite as much by commercial as by ethical considerations. She owned more than half of the 520,000 slaves estimated to have been in the South when the Constitution was adopted. Fresh importations tended to lessen their value. At all events it is suggestive that George Mason should denounce the slave-trade, in the Virginia convention, as so inhuman that he could not express his detestation of it, and yet should complain, as if the victim of some great injustice, "they have not secured us the property of the slaves we have already!" According to Charles Cotesworth Pinckney "the opinion" of Virginia in the Federal convention was "interested and inconsistent." The North, according to Mrs. Dixon, appeared to no better advantage in the Federal Congress of 1819-1821 than in the Federal Convention of 1787. She describes the Missouri Compromise as "an unjust, arbitrary and unconstitutional exercise of power on the part of Congress." It was a surrender rather than a compromise. That the territories belonged to the whole country; that citizens of every section had a right to migrate thither and take with them their property whether the inventory happened to include slaves or not, seems as indisputable to our author as the axioms of mathematics. Fear of losing control of the House of Representatives, she says, and the fact that if Southern institutions got a footing in Missouri Northern laborers would be excluded, led to a plot to prevent the admission of this territory except as a free state. The South felt exclusion to be "an infinite wrong" and accepted a geographical compromise as the only alternative to disunion.

Is all this "A True History?" Mrs. Dixon does not like Benton

and may not regard his declaration, that the compromise, so far from being a Northern measure, was "imposed . . . by the South upon the North," as a matter of particular importance, but she ought to be interested in a letter of Charles Pinckney, dated "Congress Hall, March 2, 1820, 3 o'clock at night," and addressed to the editor of a Charleston newspaper. The bill, he wrote, "is considered here by the slave-holding states as a great triumph," since the territory free of the restriction will give the South six and perhaps eight senators. Then, if the first compromise was imposed upon the South, how did it happen that the North should have repudiated the compact in less than a year after it received the signature of President Monroe? The fact is that the objections raised against the constitution of Missouri were merely a convenient mask for a fresh attack upon the geographical settlement.

The South did not think that the Missouri question would produce a dissolution of the Union, at least Calhoun, whose views were likely to be as gloomy as those of any man in Washington, did not. One does not find in the Congressional debates much evidence of serious apprehension on the part of the Southern Congressmen. Northern Representatives, it is true, indulged in some inflammatory talk. Tallmadge would not forbear to contribute his "mite of blood" if it should be necessary to quench any conflagration he had helped to kindle, and Otis of Massachusetts, rather than admit Missouri with slavery, could wish the Mississippi had been "an eternal torrent of burning lava, impassable as the lake which separates the evil and the good." This sort of declaration did not disturb the Southern Representatives very much. They were able to take care of themselves both in the matter of rhetoric and of argument. John Quincy Adams pronounced them superior to the Northern Representatives. Indeed they succeeded in driving the latter from their original position that Congress has the right to impose conditions upon new commonwealths, which the Constitution did not impose upon the original commonwealths, but failed to dislodge them from their second position that the Constitution confers upon Congress general powers of legislation in the territories. This doctrine constituted the basis of the compromise and is sound from the standpoint of constitutional law.

Mrs. Dixon devotes a large amount of space to the repeal of the Missouri restriction—a measure which her husband proposed as an amendment to Douglas's bill to organize the territory of Nebraska. She effectually disposes of the story, which has gained some currency, that Seward "put Archy Dixon . . . up to moving the repeal." The Kentucky senator needed no suggestion of that sort. While the Douglas bill adopted the non-intervention principles of the Compromise of 1850, he saw that it did not repeal the Missouri Compromise. Believing in direct methods and consulting nobody he gave notice in the Senate, January 16, 1854, of his intention to force a repeal of this so-called compact. Dixon's motives were wholly sincere and patriotic. He contended that the restrictive legislation was unconstitutional and that popular sover-

eignty or home-rule was a principle of universal application, the adoption of which in the territories would compose all sectional strife. Douglas finally "engrafted" the amendment upon his Nebraska bill. Doubtless he preferred the original indefiniteness of the measure, since it appears to have been chiefly a move in the game of presidential politics.

But the Nebraska bill with or without amendment was a monumental blunder and nothing that Mrs. Dixon has written makes it seem otherwise—unless war and the destruction of slavery by force of arms were to be desired. Apparently it never occurred to Senator Dixon or to the author of *The True History*, that if Congress had the right to acquire territory, it must also have the right to govern it. The South should have left no stone unturned to perpetuate the era of good feeling which followed upon the Compromise of 1850. It should have avoided all irritating and sectional issues, strengthened its system of domestic policy, and pocketed philosophically the occasional loss of a runaway slave. But other counsels prevailed; the Missouri Compromise was repealed—a result which the Compromise of 1850 did not effect—and the firebrand of popular sovereignty flung into the territories. The consequences of a measure, which was vague in all essential matters, which neither indicated the time when the will of the people should be ascertained nor provided machinery to determine it, could be nothing less than confusion, lawlessness and finally bloodshed.

Mrs. Dixon carries the practice of allowing men to tell their own story to excess. Chapter XX., for example, which contains seventy-three pages, is mainly a report of debates from the *Congressional Globe*. And on the whole her book, though dedicated to the truth of history, may be fairly characterized as an impassioned defense of mistaken policies and untenable constitutional theories.

LEVERETT W. SPRING.

*History and Digest of the International Arbitrations to which the United States has been a Party*, together with Appendices containing the Treaties, relating to such Arbitrations, and Historical and Legal Notes on other International Arbitrations ancient and modern, and on the Domestic Commissions of the United States for the Adjustment of International Claims. By JOHN BASSETT MOORE, Hamilton Fish Professor of International Law and Diplomacy, Columbia University, New York; sometime Assistant Secretary of State of the United States. (Washington: Government Printing Office. 1898. Six vols., pp. 5079.)

FIVE years ago Professor Moore began his labors, now happily and honorably ended, upon the history of the international arbitrations to which our government has been a party. This work has been done under a virtual Congressional contract, designating him as the editor, the consideration of which was the beggarly sum of twenty-five hundred dollars,

the greater part of which has necessarily been expended by the author in fees to copyists. The joint resolution required a digest of the decisions rendered in these arbitrations to accompany the history, and Professor Moore has taken pains to make this particularly full, adding references to all the authorities cited in the arguments of agents and opinions of commissioners and umpires. Not only does he touch upon the various points in dispute in each arbitration proceeding as it is treated, but separate chapters are devoted to such subjects as Rules of Procedure, Powers of Arbitrators to Determine their own Jurisdiction, Intervention, Domicil, Nationality, Renunciation of the Right to National Protection, Neutrality, Arrest, Imprisonment and Detention, Expulsion, Acts of Authorities, Denial of Justice, and Limitation and Prescription. With the same fullness he gives accounts of classes of cases that come before mixed commissions—contract claims, revenue cases, forced loans, bond cases, war claims and prize cases. He has thus let loose upon the world, to borrow Professor Woodrow Wilson's phrase, an immense amount of "cloistered learning," and has thereby rendered an invaluable service to our government, and indeed to all civilized governments disposed to settle international disputes by peaceful means. The publicist, the diplomat, and the historian will find in Professor Moore's volumes a rich mine of information. It would have been very easy for the author under his contract to have given a dry and perfunctory statement of the formation, proceedings and adjudications of these arbitral boards. But Professor Moore, who had as early as 1891 written an interesting paper on international arbitration, which was published in the *Report of the American Historical Association* for that year, had become so enamored of the subject, that he has consulted all available sources of information, documents published and unpublished, memoirs, biographies, orations, local histories, and even public men still living who were members of these "High Courts," for interesting personal details concerning those who took part in our various mixed commissions. Nor has he confined himself to the letter of his contract, which might fairly be construed to require a discussion only of those arbitrations in which our government has been a party *litigant*, but he has furnished a full history of all those international disputes in which the President of the United States or some American jurist selected by him or agreed upon by the parties, has acted as arbitrator. Examples of these are the services of Mr. J. C. Bancroft Davis, Assistant Secretary of State in 1869, as arbitrator between Great Britain and Portugal concerning their respective claims to the island of Bulama on the west coast of Africa; of President Hayes in 1878, in settling a boundary dispute between Paraguay and the Argentine Republic; of President Cleveland in similar controversies between Costa Rica and Nicaragua, and between Brazil and the Argentine Republic, and also in the Cerruti claim brought by Italy against Colombia; of Mr. Alexander Porter Morse in the claim of Van Bokkelen against Hayti; and of the Honorable William Strong, a retired Justice of the Supreme Court of the United States, in the claims of Pelletier and Lazare against the same government.

It has frequently happened that our government has itself assumed the settlement of claims of its own citizens against foreign governments. This has just occurred in the recent negotiation with Spain, and another notable instance was the arrangement with Mexico in 1848. In these cases, and also where a sum in gross is paid to the United States by a foreign government in satisfaction of claims of our citizens against it, as in the payment by Great Britain under the Geneva award, a domestic tribunal is established under authority of an act of Congress to hear and determine the individual claims. Of the eleven tribunals of this character which have been thus established, Professor Moore has given a full account in Appendix I. of his work, covering 489 pages.

In another appendix the author in his conscientious endeavor to furnish the public, regardless of the mere terms of his contract, an exhaustive treatment of this interesting and almost wholly undeveloped subject, has added voluminous historical notes relating to arbitrations prior to and during the nineteenth century. In respect of the history of arbitration in the East, in Greece, under the Roman Empire, and during the Middle Ages, Professor Moore has been much aided by the work of M. Mérignhac, entitled *Traité Théorique et Pratique de l'Arbitrage International*, from which he quotes freely.

He devotes a section of this appendix to the subject of "mediation," and gives numerous examples of its employment, one of the most notable instances of its use being a negotiation begun by our government in 1866 and concluded in 1872 for the purpose of bringing to a close the war between Spain on the one side and the allied republics of Peru, Chile, Bolivia and Ecuador on the other.

Another section relates to the various plans which have been suggested for the establishment of a permanent system of arbitration. In his paper read before the American Historical Association, Professor Moore, commenting on the wise rules which guided our nation from the first as respects our duty to neutrals, our persistent advocacy of the right of expatriation, and our contribution to the establishment of the system of extradition, found particular cause for congratulation in our constant endeavor to substitute arbitration for force in the adjustment of disputes among nations.

As early as 1832 the Senate of Massachusetts expressed an opinion in a resolution, adopted with only five dissenting votes, that "some mode should be established for the amicable and final settlement of all international disputes instead of resort to war."

Later the legislature of that state and also that of Vermont recommended by resolution that a congress of nations be convoked for the purpose of establishing an international tribunal for the adjustment of differences. Various resolutions were also reported by committees of the national Congress in the fifties, recommending that our government should secure whenever practicable a stipulation in all treaties providing for the settlement by arbitration of all international controversies. In 1874 the House of Representatives passed a resolution in favor of general arbitra-



tion. The international American conference which met in Washington in 1889 adopted a plan pledging the republics of North, Central, and South America to arbitration "as a principle of American international law for the settlement of the differences, disputes or controversies that may arise between two or more of them," but it has not been ratified by treaties.

It is still fresh in the public memory that our Congress in 1890 requested the President to invite negotiations with other governments looking to the settlement of disputes by arbitration, and that in 1893 the British House of Commons adopted a resolution which, after reciting this request, expressed the hope that Her Majesty's Government would co-operate with the United States in this respect.

These resolutions bore excellent fruit. Sir Julian Pauncefote and Secretary Gresham, and, after the latter's death, Lord Salisbury and Secretary Olney conducted an able correspondence resulting January 11, 1897, in an admirable treaty, which unfortunately failed in the Senate. However, President McKinley, who in his inaugural address said: "We want no wars of conquest; we must avoid the temptation of territorial aggression," has urged the action of the Senate on this very treaty, which was "the result of our own initiative." Professor Moore gives us the gratifying information that the subject of a permanent treaty of arbitration between the two nations is still under consideration in the Senate. The present is assuredly the most propitious time for the conclusion of such a treaty. Towards the establishment of a permanent plan of this nature at this time as respects not only Great Britain but all civilized nations, the volumes now under consideration will doubtless give an impetus.

At the end of these volumes the author has wisely added the text of all the treaties relating to arbitrations to which our government has been a party.

It is impossible within our limits to examine in detail the arbitrations which Professor Moore so fully describes, beginning in 1794, when our first trial of this method of settling disputes was made under the Jay treaty, and coming down to date. There have been fifteen of these with Great Britain, two of which were particularly noteworthy—the Geneva tribunal and the Fur Seal arbitration at Paris. With Spain we have had two, and concerning the first one—created by the treaty of 1795—Professor Moore has made a most important discovery. The impression has generally prevailed that there was never any arbitration conducted under the twelfth article of that treaty. It has been supposed that it was wholly annulled by the treaty of 1819. No records of any early commission are in the archives of the Department of State. But Professor Moore has not only produced incontestable proofs from the letters of early Secretaries of State that awards were made, but his industrious searches led to the discovery in that department of an old volume containing a copy of the awards. With France we have had but one arbitration. It related to war claims. With our neighbor Mexico we have



had two. The last one of these—that of 1868—has occasioned a remarkable controversy. Mexico having attempted to show that two of the awards of Sir Edward Thornton, the umpire, in favor of American citizens, were obtained by fraud, the Secretary of State suspended the distribution of the money paid by that government upon them. The claimants sought by *mandamus* to obtain payment of these awards, but the Supreme Court of the United States denied the writ, holding that the government should not knowingly allow itself to be made the instrument of wrong in arbitration proceedings, and that as between it and its own citizens the honesty of the claims was always open to inquiry for the purpose of fair dealing with the other government. It appears that Mr. Evarts, Secretary of State, after full examination of Mexico's evidence, reported that grave doubt had been brought upon the substantial integrity of one of these claims (Benjamin Weil's), and the sincerity of the evidence as to the measure of damages in the other (La Abra Silver Mining Company's), and added that as regards the latter our national honor should require us to reconsider it only so far as the fraudulent exaggeration of the claim is concerned. But Congress was asked to provide for a more complete examination than the Secretary could give. Professor Moore has not looked with his usual care into the history of this La Abra claim, for he asserts (p. 1266), that Dr. Gardiner, a notorious rogue, who committed suicide in the Court of the District of Columbia when convicted of fraud practised upon a domestic tribunal in relation to a mine claimed by him in Mexico, "produced stronger evidence of title than that on which Sir Edward Thornton awarded larger sums on the Weil and La Abra claims." Gardiner's title was wholly forged. La Abra's was proved not only by documents, but by the examination of the vendor by Mexico herself, and besides, in the one case the proceeding was *ex parte* with no counsel to represent the government's interest, and in the other there was a real contest, each side having skillful agents, and the trial lasting five years. It is this La Abra case which is now pending before the courts of the United States. So clear was the evidence of title in the recent judicial proceedings that the government formally stipulated that it should be accepted as established.

Our government has ventured on several occasions to interfere with and even to set aside awards pronounced in favor of its citizens by arbitrators. When this has been done by means of a new treaty creating a new international tribunal for the rehearing of the same claims, as was the case in regard to the Venezuelan awards of 1866, there can be no doubt of the propriety of the course. But President Jackson in 1834 severely rebuked Congress for passing a bill affecting the payments of such awards to our citizens, reminding it that such indemnification was their exclusive property, with which neither the executive nor the legislature could properly interfere without their consent (Richardson's *Messages of the Presidents*, III. 98, 146). He added that all negotiation in reference to such matters was wholly within the competence of the executive, and that such authority could neither be constitutionally abridged nor increased by Congress.

Mr. Bayard, however, as Secretary of State did not hesitate to review and to reverse Justice Strong's award against Hayti in favor of Pelletier. He did this, too, not on account of any newly discovered evidence affecting any of the facts in the case, but because his view of the law was "in direct conflict with that reached by the learned arbitrator." Considering that the arbitrator who had been selected by Minister Preston and Secretary Frelinghuysen did not properly construe the protocol touching the subject, or understand the law relating to the jurisdiction of a country over offences committed by a merchant vessel in one of its ports, he refused to collect the award, and it was dropped. It is doubtful whether this can be considered either good law or sound policy. It is in direct conflict not only with Jackson's well-considered views, but with the opinion of Attorney-General Hoar in the Gibbes case (13 *Op.*, 19). If the same commission cannot reconsider a decision once formally delivered without a new agreement (Halleck's *International Law*, Ch. XII.), and if the executive cannot submit a claim to a new commission after it has been passed upon by the first, unless there is a treaty to that effect (Frelinghuysen v. Key, 110 U. S., 63, 73), it is preposterous to hold that the executive department itself may review the decision of an arbitrator.

E. I. RENICK.

*Recollections of the Civil War.* With the leaders at Washington and in the Field in the 'Sixties. By CHARLES A. DANA, Assistant Secretary of War from 1863 to 1865. (New York: D. Appleton and Co. 1898. Pp. xiii, 296.)

WHEN General Grant was under a cloud, after Shiloh, and his superiors were in a quandary whether to relieve him or not, Mr. Stanton, Secretary of War, sent Mr. Dana to his headquarters nominally to inspect the work of the paymasters but really to observe the situation in the army and report confidentially so that the Secretary might determine intelligently what to do. Mr. Dana's reports proved so reassuring, and so valuable in other ways besides, that he was kept on the field until Vicksburg fell. He was then appointed Assistant Secretary of War and sent to Chattanooga to confer with General Rosecrans upon any subject he might "desire to have brought to the notice of the department." Here he remained until after the victory of Missionary Ridge and the relief of General Burnside. Thereafter he was employed at his desk in Washington, on various short missions and especially with General Grant in Virginia. It is the story of his experiences while serving in these various capacities which he has written out and published.

"Recollections" though they are and composed for the most part at the very close of the veteran journalist's life, there was a broad foundation of recorded contemporary impressions upon which to build. There is little in the book for which the authority of dispatches from the field cannot be given. Most of Mr. Dana's reports have been printed in the *Rebellion Record*. Nearly everything of interest in them has been util-

ized and a few unpublished reports and family letters have also been drawn upon.

Mr. Dana's position was unique. He lived at army headquarters ; he communicated unofficially and freely with all officers, low and high ; he made tours of inspection both alone and with the generals ; and he was a listener at the councils of war. But he had no responsibility for the success or failure of the plans adopted, and he was not bound by military law to receive commands and obey without question. It was his privilege to stand by and observe and report ; to point out freely and confidentially to the Secretary at Washington the reasonableness or unreasonableness of the plans and the efficiency or inefficiency of those engaged in carrying the several parts into execution. He begged for reinforcements for Rosecrans ; Grant relied on him to interest the Secretary in his plans for new campaigns ; officers made complaints to him regarding those who had forfeited their confidence. But his dispatches betray no petty feelings, they are straightforward and significant and he seems to have retained the respect of all with whom he was associated, delicate as his relations with some of them must have been at times.

Mr. Dana made mistakes ; in exciting emergencies his judgment was sometimes at fault ; his own later dispatches often contain corrections of the earlier. Swept back into Chattanooga with the routed right wing he immediately telegraphed to Washington that Chickamauga was as fatal a name as Bull Run. Four hours later he had learned of Thomas's defence of the left wing ; and step by step he analyzed the situation and pointed out the false moves, when and by whom made, as definitely as one criticizes a lost game of chess. His final statement of the matter in hand seldom fails to be convincing.

His dispatches, more frequent than those of the commanding general even and from a different standpoint, relieved the suspense of the anxious watchers in the War Department greatly, and Mr. Dana takes pains to show how much Mr. Stanton appreciated them. But it is more difficult to estimate the effect of his suggestions. In some cases the relation of act to suggestion is patent ; and it is safe to infer that his dispatches commanded consideration even when they were not or could not be followed. But Mr. Dana modestly refrained from developing the point fully and it would require time, skill and patience to determine it from the records.

There is no logical unity to the book, nor any consistent purpose running through it, except to give a chronological narrative of certain interesting personal experiences. It is not broad enough in scope to show the progress of the war as a whole, nor of any special phase of it like negro contrabands or emancipation. If it might be expected to throw light particularly on the delicate question of appointment, removal and promotion in the army it is disappointing. What it does offer is Mr. Dana's opinion of the officers whom he observed. His judgments are candid, keen and analytical, showing psychological insight. They will generally command assent and must be taken into account by future writers. Space

forbids a discussion of them here. Almost every current question: cotton speculations, fraud in army contracts, political influence and bargain, emancipation, negro soldiers, and many another, is touched on briefly and incidentally. A fact is stated, an observation recorded or an opinion stated which will be of great value in the hands of the historian who shall make a comprehensive study of the subject to which it relates.

The professional historian who turns to Mr. Dana's book for historical material will be guilty of negligence if he does not also consult the dispatches themselves in the *Record*. But in the *Recollections* he will find much that cannot be obtained elsewhere. First there are some letters hitherto unpublished. Then there is the setting of the recorded events as Mr. Dana has been able to recall it and there are his own interpretations which but for this book would have died with him. The general reader's interest will be held by the perspicuous descriptions of several great campaigns, by the numerous character-sketches and by many passages of a high order of literary merit.

FREDERICK W. MOORE.

*Life of Oliver P. Morton*, including his important Speeches. By WILLIAM DUDLEY FOULKE. (Indianapolis, Kansas City: The Bowen-Merrill Co. 1898. Two vols., pp. 488, 593.)

IN any list of a dozen men most prominent in civil life during the civil war period, Oliver P. Morton's name would pretty surely be found. He did not neglect the politician's art of keeping himself in the public eye, and whatever he did was industriously advertised by as compact and well disciplined a following as any public man could boast. Yet nobody questioned his possession of qualities which justified his prominence. Chief of these was a natural force of will which either dominated those about him and made them willing followers, or drove them into antagonism. He had the courage of a revolutionist which stuck at nothing to reach his object, and made his life a continued illustration of the proverb that "the end justifies the means." His intellect, like his body in his prime, was robust and burly. His speech was direct and clear, and he had a natural dialectical power in referring his conduct and the policy he advocated to principles and to passions that were in vogue. It was inevitable that he should be a popular leader in a troubled time. Whether he were an able demagogue or a statesman was and is the question. His biographer has given us a book which will help the historian, for it is a fair presentation of the acts and events of Morton's life, without overstraining to force them into consistency or to justify them. It shows the conventional desire of one who represents family and local pride to exalt the motives, to soften hard facts, to suggest apologies; but this is done with moderation and intelligent restraint, as well as with good literary judgment.

Morton threw himself into the movement which was organized into the Republican party, when Douglas's Kansas-Nebraska bill and the Dred

Scott decision forced the issue whether the free states should surrender their right under the Missouri Compromise to the exclusive colonizing of the great North-west. He had been a Democrat, and though comparatively young, his native characteristics made him aggressive and militant ; so that when they were used against his old political associates, the resulting antagonism was sharp. He was soon well hated. The same qualities and the zeal with which he espoused his new cause made him a leader in it from the start. He signalized his advent to prominence by suggesting to the Republican majority of the Indiana Senate a "device" by which they could get rid of a Democratic member whose right to a seat was contested. The Republicans of the Senate refused to accompany the Democrats to the joint convention of the two houses to elect a Senator in Congress ; but though a majority, they were not enough to make the legal quorum. Morton instructed them that when the Democratic senators were absent, they could put one of their own number in the chair, oust the objectionable member, fill his place, and by doing this without roll-call there could be no proof that a lawful quorum was not present and no means of undoing it. A confessed illegality would thus be successful. It was done accordingly, and worked like a charm. Morton's prestige in Indiana was solidified.

"Bolting" to break a quorum had become in that state a common practice, each party practising it in turn, and each in turn denouncing it as revolutionary, which, of course, it was. As parties got used to doing what they condemn in their opponents, and make it their creed that it is right to "do evil that good may come," the obscuration of the moral sense surely follows ; and from bolting to defeat a "gerrymander" as the Democrats did in March, 1862, or to defeat Hendricks's election to the national Senate as the Republicans did in January, 1863, to "doctoring" election returns, or "voting 'em in blocks of five," is a *facilis descensus* which helps to make some periods of Indiana politics intelligible. Certainly it explains why the order of "Sons of Liberty" flourished more in that state than elsewhere.

Morton's term as governor of his state was for four years from January, 1861. The reaction of 1862 made the legislature Democratic for 1863-64. A bill was introduced intended to curtail the power of the governor in the organization of the militia and in the expenditure of funds appropriated for the relief of sick soldiers. The biographer tells us that the bill "showed a rather adroit compliance with the letter of the constitution while its spirit was subverted." Before the bill had passed either house, after a vote which seemed to show that it would pass that in which it originated, the Republicans, under Morton's avowed leadership, "bolted" again and broke up the quorum. The session ended without their return, all legislation was blocked, and the appropriations for ordinary expenditures of the state government were not made. Morton personally assumed the whole administration. He borrowed money from the county treasuries in Republican counties, borrowed a large sum from the Secretary of War, borrowed from bankers. He established a private

treasury and auditing office, paid the interest on the state debt, the running expenses of asylums and sanitary commission and other public expenditures, refused to call an extra session of the legislature, and in the language of his biographer, "was the State" until a new election gave him friendly support again in the co-ordinate department of the government.

He was a dictator confessed. There was hardly a pretense of disguise. It was not only revolution, but there was no such peril as to make an excuse for it. The bill had not passed one house. It must pass both, and still again after he should veto it. He had promises from moderate Democrats that it should not finally pass. There was time enough to "bolt" when it came to a vote after a veto. But if it had passed it does not seem to have been terrible in its character. Annoying, even personally exasperating no doubt it was; but he could have been relied on to find lawful means of extracting its sting. The militia was not the volunteer army. This was controlled by Federal law. His appointment of officers of volunteers could not be meddled with. United States troops garrisoned the state under United States officers selected by himself. Mr. Stanton treated him as an *alter ego*. All local militia laws might have been repealed and neither state nor country would have known the difference. The historian will have to conclude that the question was one of personal pride and dignity: the action both revolutionary and precipitate. It is only by noting these characteristics of his administration in Indiana that we can understand him in his rôle of leader in reconstruction measures in the national Senate, when he had taken his seat in that body.

At the close of the war, in the autumn canvass of 1865, Morton had treated with fulness the subject of the political status of the freedmen in the South after the abolition of slavery. He had said "that however freely we may admit the natural rights of the negro, colored state governments are not desirable; that finally they will bring about a war of races . . . I would give these men, just emerged from slavery, a period of probation; I would give them time to acquire a little property, and get a little education; time to learn something about the simplest forms of business, and to prepare themselves for the exercise of political power. At the end of ten, fifteen or twenty years, let them come into the enjoyment of their political rights." This theme was enlarged upon, and we are told that "President Johnson said it was the ablest defense of his policy yet made public."

Stickling for mere formal consistency we may not ask of a public man more than of a private one. But we study with interest the reasons a public man gives for a change of attitude. By 1867 Morton had given his adhesion to the policy of which Thaddeus Stevens was the champion in Congress, and in his last message to the Indiana legislature, a few days before he was elected to the Senate, he reiterated the objections to making a governing class of a race "impressed with that character which slavery impresses on its victims," and said it "would be justified only by necessity resulting from inability to maintain loyal republican state



governments in any other way." When this came later into the fiery analysis of the debates on the final reconstruction measures, it was seen that "republican" meant "Republican party."

It was, indeed, a trying situation for the leaders who had controlled the politics of the country through the war, when they found that peace and the return of the rebellious states to allegiance threatened to put the opposition into power. It was not strange that many of them lost the self-control necessary to judge reasonably what kind of government in those states was possible or tolerable, and in the stress of party conflict forgot the lessons of history and of social science. The methods which were adopted led inevitably to arraying the races solidly against each other in political struggle. It needed no gift of prophecy to tell the outcome of this.

Morton soon became chairman of the Committee on Privileges and Elections and absorbed into that committee the control of Reconstruction legislation. He introduced the amendment to the Reconstruction laws already complied with, by which as a further condition of admission, Virginia, Mississippi and Texas were required to adopt the Fifteenth Constitutional Amendment. These votes were thought necessary to pass it, in view of the opposition to it in Northern states. The Indiana senator formulated his doctrine that "definitions advance" and that "a republican government" might mean a different thing in one year from another.

Space will not permit the consideration of intermediate steps, and we must hasten to the events which showed the self-destructive development of Morton's system. In the Louisiana election of 1872, two contesting "returning boards" claimed the authority to decide the result. The "Republican" board had no returns, the "Liberal" had the returns and declared McEnery elected Governor. The Republican board declared Kellogg elected, and sent one of their number to Washington to inform Congress that they did not claim to have evidence of Kellogg's election, but in view of the general intimidation of the negroes, they had given a formal certificate to Kellogg for the purpose of asking Congress to set aside the whole election and order another under General Sheridan's protection.<sup>1</sup> It seemed that Congress generally favored doing this and a majority of Morton's own committee so reported. But Morton opposed it vehemently and carried his point. The administration had been induced to install Kellogg by military force pending Congressional action, and basing his course on a convenient form of the argument in favor of a *de facto* government, he waived aside the notice from the returning board itself that they had canvassed no returns, and added to the doctrine that "the end justifies the means," the gloss, "keep all you've got." He thus invented the improvement on the returning board of the South, by which without returns, or with those manufactured to its order, it could insure the success of the proper candidate. It only needed the device of "not to go behind the returns" to make it a theoretically per-

<sup>1</sup> See *The Nation*, December 17, 1896, p. 459.



fect instrument of government. In practice it was marred by inconsistencies in his fellow-senators which disgusted Morton. They accepted its work in giving Louisiana Kellogg as governor, but they drew the line when it sent Pinchback to sit with them in the Senate chamber.

The full fruition of the system came later. The men having scruples left the returning board. Their successors refused to fill a vacancy in it which the law required to be filled by one of their political opponents, and the last check upon their actions was removed. On the other side the general intimidation of the freedmen had gone so far that it was not necessary to have any violence or threats at the polls on election day. The presence of the usual party ticket-holders, checking off the voters, was enough. The necessity arose for going behind the actual election, if not behind the returns. Could an outwardly peaceable election in a precinct be set aside, and the candidate who had a minority of votes be declared elected, on the ground that the black voters had been terrorized last week or last year? The one-party board was equal to the occasion. It could exclude such precincts as it pleased, having no troublesome minority present to ask impertinent questions, or make awkward protests. Its tools afterward confessed, but one who confesses a fraud is not a very credible witness, though all courts listen to him.

A gradual conviction spread through the country that the system could not work. Committees of Congress were sent south and said much more when they came back than appeared in their official reports. In "letting it go this time," they emphasized the absolute necessity of change. Then, the Louisiana returning board was a self-perpetuating one, and there was Sheridan's word for it that its leader was a rascal. It could go on making its legislatures as well as executive officers, forever, whatever votes were actually cast. We were getting to what the French call an *impasse*. All this, scarcely veiled, appears in the biography before us.

In the counting of the electoral votes of 1876, Morton was a model of boldness and directness in his advocacy of "thorough." He applied his former invention in all its completeness. Having a Democratic House of Representatives to deal with, he had led the Senate to abrogate the 22d joint rule adopted by his party in 1865 to give each house a veto on counting the contested vote of a state. He carried logic "to the limit" (in the mathematical sense). There must be no going behind the returns. If the returning board has certified a given list of electors and the electors have sent a vote, that vote must be counted, and the President *pro tem.* of the Senate must count it. Senator Ferry, the presiding officer, was a man of delicate temperament, quite a contrast to the Indiana senator in nearly every physical and mental quality, and Morton spoke and acted as if his end was gained if he made Ferry's counting the means. There were those who knew both men who doubted whether disappointment would not have been in store for him. But he had strained his leadership too far. The Senate refused to go with him and agreed to the Electoral Commission bill, which gave to Hayes' election the sanction of a decision by a legally constituted tribunal.

How far unofficial negotiations went is not known, but the fact was that the decision was followed by Grant's withholding military interference in the organization of the Louisiana government, and the "government *de facto*" was not that certified by the returning board. To declare that the other was still the "government *de jure*" seemed a strain upon any conscience, but Morton did not falter. Then, Hayes sent commissions to negotiate a settlement in Louisiana and South Carolina, and the dissolution of the so-called Republican legislatures followed. The plan of reconstruction and perpetuation of party domination under Morton's doctrine of the right of Congress "to raise up a new loyal voting population" had failed. Ten years' struggle had left the races as hostile as ever. What had been done toward lifting the freedmen into capacity for self-government under the fostering power of the nation used in the cause of humanity and freedom? Had the adopted plan ever a chance of success? Was it intelligently adapted to the solution of the great problem? Had the end been feasible and the means honest? Was it statesmanship? The final reputation of Morton is involved in the answer. Many incidents of his career and other questions of public policy which he debated would repay examination; but the matters above discussed are, after all, those which must determine his character as a public man.

*Historic Towns of New England.* Edited by LYMAN P. POWELL.  
(New York and London: G. P. Putnam's Sons. 1898. Pp.  
xxi, 599.)

THIS book, as explained by the editor in his preface, is partly the product of a tour undertaken by a party starting from Philadelphia at the close of the University Extension Summer Meeting in 1894, for "a ten days' pilgrimage in the footsteps of George Washington." But as Washington never visited half the places described in it, the book is seen to be both more and less than was originally planned for—more, because many of the towns spoken of were not included in the pilgrimage, and less, because the places outside of New England which were visited by Washington and by these pilgrims are not included in this work, but are left for a possible future publication on *Historic Towns of the Middle States*.

About one-half of the book consists apparently of the addresses made to the travelling party at the places actually visited; and the other half includes valuable descriptions, by different authors, of other towns, which have been added in order to give a larger representation of what New England has been in history. It would seem as if one who assumes to be the editor of such a work should at least have written the introduction. It is difficult to see what "editing" has been done, except to solicit the manuscripts and perhaps to select some of the illustrations. Each chapter is by a responsible author, who appears to have done his own editing. There is not a single foot-note by Mr. Powell. Indeed, it is rather surprising that a Pennsylvanian should undertake to give to the world a book about a section of the country with which he is not familiar, and concern-

ing which he has not himself written a single chapter. However, he has prevailed upon fifteen writers—each of them well-known and abundantly qualified—to furnish the contents of the book; and we may well thank any man who has the enterprise to secure such a staff, and give permanent form to such excellent materials for our local and municipal history.

The Introduction by George P. Morris is a comprehensive and philosophical essay, of some fifty pages, on the characteristic institutions of New England. These are well described in the order of the Church, the Town House, the School, the Railway, the Factory and the Public Library, with brief allusions to other agencies such as the Savings Bank, the Newspaper, the Lodge and the Village Store, with a suggestive reference—in the case of a large number of towns—to the exclusion of the liquor shop.

The story of Portland is narrated by Samuel T. Pickard. The illustrations are too few for so important a city. The quiet and recently-discovered hill-town of Rutland in Worcester County is described by Mr. Mead, whose enthusiasm for Rufus Putnam and Manasseh Cutler and “the Ordinance of 1787” and the founding of Ohio is second only to that of Senator Hoar. The annals and treasures of Salem are unfolded by George D. Latimer with appropriate illustrations. Col. Higginson tells of the topography and growth of Boston, of its patriots and statesmen and literati, its charities and libraries and museums. Dr. Hale gives one of his popular papers on Revolutionary Boston. Samuel A. Eliot treats of Cambridge with special reference to its university. Concord, first in many fields, is safe in the hands of Frank B. Sanborn. Ellen Watson writes feelingly of Plymouth which she knows so well. The reader is somewhat surprised to find Cape Cod Towns honored with a chapter. They have too often been overlooked. Katharine Lee Bates writes of them all, beginning with Provincetown and ending with Falmouth. She has evidently studied the Cape and prepared one of the best general accounts of it ever written. The marine view on p. 347 is uncommonly good.

No one could tell the thrilling story of Deerfield better than George Sheldon, who has done so much for the Pocumtuck Valley Memorial Association and for its unrivalled museum of relics. A fine portrait of George Fuller is given on p. 437, but there is no mention of him in the text to show that he was a son of Deerfield. Here was an opportunity for the editor to supply the deficiency. Newport, the Isle of Peace, with its peculiar attractions, is pleasantly described by Susan Coolidge; and Providence, the Colony of Hope, is sketched by William B. Weeden, who honors the unique record of its plantations, its churches, its industries, its college, its men, its ideas. Mary K. Talcott writes of Hartford; and Frederick H. Cogswell of New Haven.

The illustrations are numerous and unusually good throughout the book. Some of them have appeared in magazines and other publications. They are all welcome here. The frontispiece is unwisely reproduced on p. 323. The book is too heavy to hold conveniently in the hand. Con-

sidering the composite character of the work, its unity is well maintained and the chapters are all of a high order.

*Municipal History and Present Organization of the City of Chicago.*

By SAMUEL EDWIN SPARLING, Ph.D. [Bulletin of the University of Wisconsin, No. 23.] (Madison, Wisconsin: the University. 1898. Pp. 188.)

Of the seventeen chapters in this book, six, comprising about one-quarter of the space, are given to the history of the city government of Chicago from 1833 to 1872. The rest of the book is devoted to a description of the present organization of the city government as developed under the act of 1872.

The author aims to show in the first part how the germs of municipal government contained in the village charter of 1833 grew into the highly complicated organism of 1898. He traces the evolution of the power of the mayor as the central thought of this development from the time when he was simply the presiding officer of the village board of trustees, elected by the board, entrusted with little or no initiative power, granted little or no control over legislation or administration, to the present, when, having achieved an independent position, elected by popular vote, though still the presiding officer of the council, he has become the acknowledged head of the administration, and even a powerful element in the legislative body itself. A description is given of the process by which the system of independent administrative boards was gradually evolved out of the old village board of trustees, and of the methods by which, when these boards had done their work, they were converted into a system of administrative departments under single heads responsible to the mayor.

The later chapters, comprising two-thirds of the book, are given to an exposition of the present organization of the various city departments. The following titles of several of the chapters indicate the line of development: The Common Council; The Mayor and His Functions; The Administration of Finance; Department of Public Works; Institutions for Protection and Education—Police, Fire, Health, Schools; Town and County Government in Chicago; The Park Administration. A bibliography of some ten pages contains a list of the sources from which the author drew his material, including a chronological arrangement of the laws relating to the government of the city passed by the legislature of Illinois. It is unfortunate that no index accompanies the work, though the table of contents, being quite full, makes up in some part for the omission.

It is evident that within the limits of a monograph of less than 200 pages with wide margins and few foot-notes, only a mere outline of such a complicated and comprehensive subject as that of the city government of Chicago can be given. It is also plain that where the attempt is made to cover the whole ground, little more can be done than to utilize in a

more or less sketchy way the sources of information most easily accessible. Those persons therefore who have worked over this material at all fully will find little that is new in this monograph. The laws of the state, the ordinances of the city, the proceedings of the council since 1872, the local histories of varying value, and the newspapers to a limited extent, have been drawn upon by the author. Little attempt has been made, if one may judge from the traces of the effort in the monograph itself, to work over in detail the enormous mass of material contained in the newspapers and in the ephemeral pamphlet literature of the last fifty years, so that the field of original research is still left almost untouched for future monographic effort.

On the other hand, the work of giving a fairly satisfactory outline history of the municipal government has been well done, and the description of the existing system of administration is, if not altogether adequate, the best account thus far furnished within anything like the same number of pages. The book is on the whole a substantial contribution to the subject which it discusses. It will be of considerable use even to the special student who has worked over the field, and in the present state of the literature on the subject will be well-nigh indispensable to the students of our municipal institutions who wish to know something of Chicago and its development, and yet have not access to the original sources. The book is distinctly superior to the common run of monographs submitted for the doctor's degree. An epigrammatic style interferes with the pleasure of reading the work, and there are evidences that the author has yielded to the temptations common to such a style, and said things often in such an epigrammatic way that the sense is concealed for all but himself. Many misprints disfigure the pages, which is all the more to be regretted as the general typographical appearance of the book is distinctly pleasing.

*Histoire de la Seigneurie de Lauzon.* Par J. EDMOND ROY, Membre de la Société Royale du Canada, Maire de la ville de Lévis. (Lévis, en vente chez l'auteur, 9 rue Wolfe. 1897, 1898. Two vols., pp. viii, v, lxiii, 495, lxxxvi; 416, lxii, v.)

It is almost startling to find the mayor of a town in America who is engaged in active political life, devoting the spare time of ten years to historical research. M. Roy is mayor of the considerable town of Lévis opposite Quebec. The surrounding tract of country composes the seigneurie of Lauzon. The huge buildings and glittering spires of Lévis look imposing from the terrace at Quebec, and the place itself has had an eventful history. It was from its heights that Wolfe bombarded Quebec in 1759. So long ago as 1636, the seigneurie was originally established, and for concessions made in 1653 masses are still said annually in the parish of St. Nicolas for Mme. de Charmy, wife of a former seigneur. In this and adjoining seigneuries land has been held by the same families in unbroken succession for more than two hundred years. Th. Bentzon,

writing recently in the *Revue des Deux Mondes*, pointed out that the ownership of land has witnessed relatively fewer changes in Quebec than in France, which is not what one expects in the New World.

French feudalism, planted in Canada amid conditions so different from those native to it, is an interesting study. M. Roy, with minute detail, describes in these two volumes the history of a feudal domain for rather more than one hundred years. His work for the present ends with the British conquest of Canada in 1759; but feudalism did not perish in Canada at that time. The Quebec Act of 1774, to the disgust of the English colonies, provided for the continuance of the old French system. The *habitant*, who had then been free for the fifteen years since the conquest, was brought once more under the sway of his lord. This sway never became a real tyranny, but the lord's rights were irritating and restrictive, and the whole system, after enduring under British rule for three quarters of a century, was in the end swept away about fifty years ago.

The daily life of the people, living amid conditions so foreign to America, is of great interest; and it is this which should attract to M. Roy's volumes the attention of the larger world. He is not a picturesque writer, and he has been embarrassed by a wealth of material. He can tell us the names of all the dwellers within the seigneurie at almost any date. Not a church-warden, not a pew-holder, hardly a volume in the priest's library, escapes his notice. Obviously such work is mainly of local import, yet from it much of wider import can be gleaned. We see the seigneur in Canada as in France claiming the customary respect from the church. He has the seat of honor with his armorial bearings over it. His name and that of his wife are mentioned in the public prayers. Between him and his vassals there is a social gulf. They come to him for fatherly advice, and he corrects their faults. He lives in state, rude indeed, but not wanting in dignity. To his bakery, his mill, his tannery the people are obliged to come for the various services required. Nor was the life of the peasant one of mere dull routine. The seigneurie of Lauzon lay on the route from Quebec to the New England settlements, and some aspects of the ferocious border warfare between the French and the English can be found in these volumes.

These intermittent struggles reached their climax in the great siege of Quebec in 1759, *l'année terrible* as M. Roy calls it. We get here a side of the narrative hardly touched upon in Parkman's *Montcalm and Wolfe*, the terror of the French peasantry, the solemn litanies in the churches frequented by crowds, in the end the flight of almost the entire population to the woods. M. Roy tells the tale not dramatically but with minute care. It is the life of his own people that he is describing. Never does he show any bitterness toward the English conqueror, though he is always true, in tone, to France. This of itself is an indication that the war of races is almost dead in Canada. The most patriotic of French Canadians glory in the British institutions which they enjoy. At the present day in the seigneurie of Lauzon dwell some thirty thousand



people, French and Catholic almost to a man. If Great Britain and France were at war, they would find themselves in a terrible dilemma; yet their leaders are even passionately devoted to Great Britain, which has been almost too generous in leaving them their former system unimpaired.

The pagination of M. Roy's volumes is remarkable. He makes some trifling errors such as "Sir Logan" for Sir William Logan (I. xlvii), and his sense of proportion is sometimes defective; few have heard of the "celebrated" novelist Frances Brooke (I. 25). The book is however a sound and scholarly piece of historical work, far superior to the average local history published in English. The care with which records are preserved in French Canada is probably unequalled elsewhere in the world. This fosters a taste for genealogy and there is scarcely a family that cannot trace its ancestry back for many generations. One result is a civic patriotism that has produced an admirable series of local histories.

GEORGE M. WRONG.

*Mexico and the United States; a Study of Subjects affecting their Political, Commercial and Social Relations, made with a view to their Promotion.* By MATIAS ROMERO. Vol. I. (New York: G. P. Putnam's Sons. 1898. Pp. xxxiv, 759.)

D. MATIAS ROMERO was appointed Secretary to the Mexican Legation at Washington in 1859, and for nearly twenty-five of the years between that date and his death in December last, he resided in the United States as the diplomatic representative of Mexico. Throughout this period he devoted himself with earnest intelligence and with unremitting diligence to the task of developing by every legitimate means more intimate relations between the neighboring republics. Possessed of solid qualities rather than brilliant talents, his work attracted comparatively little attention even from those whom it affected most directly, but his long term of almost uniformly pleasant and successful service gave him a position of distinct influence in official circles at Washington and with the representatives of commercial interests in the large cities. He was frequently called upon by influential organizations, by learned societies and by magazine editors to explain the problems which complicate relations with our South American neighbors and to throw light upon the puzzling questions whose solution demands an understanding of the social and political characteristics of the Mexican people. His responses to these various demands have contained a very large amount of information upon many sides of Mexican life and history. Written by one of the best informed Mexicans of his generation for the people of the United States, whose wants and ideas he had come to understand very thoroughly, these papers have for some time been regarded by those best acquainted with Mexico as among the most reliable of the sources of information available to English readers.

Almost the last important service rendered by Señor Romero to the two republics which he served so faithfully was the revision of the more important of these occasional essays and addresses for publication in per-



manent form. The statistical and geographical notes, originally prepared for the American Geographical Society, were carefully corrected and wherever feasible completed by the most recent data obtainable from the officials in Mexico, the whole being arranged so as to give an extended descriptive account of the actual condition of Mexico in its various physical aspects. The articles on the silver question, on the problems of wages and labor, on tariff relations and on the Pan-American movement were expanded by the ideas and the supplementary facts which had been brought to his attention since their first publication. Where the expression of his opinion had given rise to controversies, Señor Romero carefully explained the grounds upon which objection was made to his statements, inserting also his replies and such confirmatory data as he could secure. Putting all these things together, Señor Romero was able to provide his publishers with material for a bulky volume which contains the most trustworthy available compendium of all sorts of information relating to modern Mexico.

The more strictly historical portion of this volume is based upon two articles which appeared originally in the *North American Review* in 1895 and 1897, and which in their revised form are entitled, "Genesis of Mexican Independence" and "Philosophy of Mexican Revolutions." Both papers have been considerably enlarged and to some extent rewritten; minor errors have been corrected, objections to theories or to statements of fact answered, and one or two important recent works on the most exciting period of Spanish American history drawn upon for additional data. All this fills a hundred large pages which contain a lucid account of the course of the vital events by which Mexico and her sister republics to the south won their independence from Spain, and of the subsequent events which showed the Mexican people the disadvantages of political controversies conducted by force of arms. Señor Romero's idea, however, in writing these papers was largely philosophical. His essays were intended to explain to the people of the United States that their southern neighbors are able to take care of themselves, and that they are not afflicted with an incurable desire for revolutionary turmoil and physical political disturbance. It is, therefore, from this point of view that any criticism of his arguments ought to be directed. Agreement with his main thesis is easy, to the extent that it is beyond question a great deal nearer the truth than is the current conception of the Spanish American peoples derived from Mr. R. H. Davis and other newspaper reporters or casual visitors. As for the facts stated by Señor Romero, detailed criticism is of little value in the existing condition of knowledge respecting the history of Spanish America during the first half of the nineteenth century. The events of these years have been narrated by many writers, and the prosperous governments of the southern republics have recognized their obligations to their liberators by publishing voluminous series of documents connected with every phase of the struggle for independence. There can be no doubt that the facts of this period will some day be made intelligible. It is quite as true that

no satisfying exposition of the significance of these events has yet been given. The Spanish American appreciates to a remarkable extent the curious but indubitable fact that the important thing for the world to know is never what actually happened in the historical past, but is rather the thing which is said to have happened. Inasmuch as something must have happened, it becomes necessary, from this point of view, not to find out what that thing was, but for historical writers to agree upon what it may fairly be supposed to have been. Being essentially logical by birth and breeding, the Spanish American historians are able to assume the truth of the accepted narrative of the course of events during the revolutionary period. It is quite beside the question to ask whether such were really the facts and the motives which governed the succession of events and the development of character among the leaders in the struggle. Such it is agreed that they were, and as such they must be accepted until a more searching and less logical study of the character of individuals and the nature of events has been made. There are, indeed, difficulties in the existing situation, as Señor Romero might have thought had he noticed the cases—comparatively rare in his revised work—where he has occasion to make diametrically opposed statements of fact within a few paragraphs of each other. But each statement is derived from authoritative printed works, and each admirably illustrates the point which ought to be brought out in its particular connection.

Señor Romero has given English readers a very useful summary of the accepted facts of a most interesting period of Mexican history, and he has expounded certain important conclusions which, whether they follow from the facts or not, unquestionably are based upon an intimate and accurate knowledge of the Spanish American character, frankly recognizing its weaknesses and its misunderstood strength.

G. P. W.

*Modern Political Institutions.* By SIMEON E. BALDWIN, LL.D.  
(Boston: Little, Brown and Co. 1898. Pp. 378.)

THIS volume consists of a brief introduction and twelve essays mostly based upon addresses given before the American Bar Association, the American Social Science Association and bar associations of different states. All deal with political and legal institutions, especially those of the United States, laying emphasis upon their development and social significance.

Four of them are particularly legal in substance and suggest reforms that may be brought about either by legislation or by an improvement in our methods of legal procedure. The essay on "The Exemption of the Accused from Examination in Criminal Proceedings" expresses the opinion that it would further the ends of justice, if we were to adopt in part the Continental system in the preliminary examination of criminals and have the committing magistrate secure a statement from the accused which might be used in the trial.

The essay on the "Decadence of the Legal Fiction," while recognizing the value, even the necessity, of the legal fiction in earlier times under the circumstances of undeveloped communities, asserts that in the nineteenth century in our country this legal "sham" is no longer needed, and that in a court of justice it is not merely useless, but harmful.

In an address delivered before the American Social Science Association in 1886 upon the recognition of habitual criminals as a class to be treated by itself, the author takes account of the Bertillon system of detecting criminals, of the danger that the habitual criminal brings to society, and of the need of more efficient systems of restraint than are ordinarily found in our states. It is recommended that the habitual criminal, after his term of imprisonment has expired, should be released from confinement, but be kept under police supervision more or less strict as his condition requires, for the rest of his life.

In three of the essays which are peculiarly historical in their nature, Judge Baldwin traces briefly the development of American jurisprudence and constitutional law, enumerating the leading steps in legal reform by constitutional interpretation, legislation and constitutional changes. In one of them, on the "Centenary of Modern Government," the outlook is wider; the development of modern political institutions, European and American, is briefly traced, and in a most suggestive manner there is depicted the stage of civilization now reached as compared with that of a century ago.

The essays on "Salaries for Members of the Legislature" and "Permanent Courts of International Arbitration" advocate payment of salaries to legislators, and the establishment of a permanent Court of International Arbitration between England and the United States, but not among nations of differing languages and political customs; while another expresses the opinion that the Monroe Doctrine is still to be upheld in the spirit in which it was interpreted by President Cleveland in 1896.

The essay in the book which shows evidence of the most thorough research is the one on "Freedom of Incorporation." In this is traced the history of corporations through their different forms from the time of the ancient Romans to the present day. The significance of these corporations at different times, the economic and social conditions which led to their establishment, the abuses to which in course of time they gave rise, the consequent popular hostility in several cases which led to their more or less complete suppression are sketched briefly, but clearly; and the causes which have led in the last half of the present century to the general freedom of incorporation and to the enormous development of corporate enterprises are most admirably described.

Perhaps the most suggestive chapter and the one which is most likely to meet with opposition from students of political science is that on "Absolute Power: an American Institution." So many of our later writers on political science have expressed the opinion that the legislative departments of modern governments, including our own, have a tendency

to absorb the prerogatives of the executive, and so many persons are inclined to believe that this supposed tendency is a good one, that one may well welcome this powerful address which shows that the President of the United States holds a position which, in case of need, gives him absolute power. This is, perhaps, the ablest brief study that has yet been made of the gradual development of the presidency. Judge Baldwin is evidently of the opinion that the executive, with all his power, in no way threatens the freedom of the people, or the perpetuity or excellence of our American institutions; but that, on the contrary, the development of this office along the lines which he has traced has been one of the strongest safeguards of all that is excellent in our republican government.

Several of these essays show the marks of their origin, as addresses delivered before associations of specialists, but this form of the essay, for which the author seems inclined to apologize in his introduction, is not at all to be censured; it but gives an added interest and liveliness to the style. On the other hand, it would have given added value to the book if some of the addresses given many years ago had been brought down to date. That on the "First Century's Changes in our Constitutions," for example, was given in 1879. It is of course true that the century ended then; but one reads this address now with a feeling of disappointment, because attention is not called even by foot-notes to the important later changes. Labor has been saved, but the added satisfaction to the reader would have been more than enough to pay for the trouble of the additions, and for the sake of the added information, the reader would have gladly excused any inconsistency with the title.

All the essays show the wide reading, the keenness of insight into customs and institutions, and the judicial temper of the author. It is particularly pleasing just at the present time, when many of our prominent citizens are lamenting what they believe to be the inclination of our people to abandon the principles of the fathers, to note the cheerful optimism with which so experienced and conservative a thinker as Judge Baldwin looks upon our institutions. He believes in them, and though he sees their faults and throughout this book is continually making suggestions for their improvement,—suggestions which our law-makers and judges will do well to heed,—he nevertheless believes that they are developing in the right direction, and that their future is full of promise.

JEREMIAH W. JENKS.

*Alla Ricerca della Via Caecilia*, by N. Persichetti, (Rome, 1898, pp. 28). In the year 1872–1873 an inscription (C. I. L., VI., 3824) was discovered relating to the Via Caecilia. In 1896 Dr. Huelsen published a monograph on the inscription. In this he proved that the Via Caecilia was named from L. Caecilius Metellus Diadematus, consul in B. C. 117, to whom it probably owed its origin. He also arrived at the conclusion that this road was a branch of the Via Salaria and was built to afford a more direct means of communication between Rome and the Adriatic.

We now have another admirable monograph treating of this same subject but from a different point of view. The writer has carefully collected all the archaeological and topographical evidences relating to the existence of this road and has made use of the few hints to be found in modern literature which could throw any light on the subject of his investigation. He has found unmistakable traces of the Via Caecilia in six places between the river Farfa where it branches off from the Via Salaria and Amiternum near which it again unites with this road. His conclusions are in the main in harmony with those of Dr. Huelsen. He maintains, however, that the Via Caecilia does not afford a shorter route between Rome and Amiternum than the Via Salaria. He finds the justification for its existence in its strategic and commercial value. It appears probable that the Via Caecilia after leaving Amiternum led to the sea by a shorter route ending at Castrum Novum or Ad Salinas while the Via Salaria led to Asculum and Castrum Truentinum. We trust that the writer will continue his investigations in relation to this road and will at an early date give us the results.

ALBERT GRANGER HARKNESS.

In Fasc. III. of Tom. XVII. of the *Analecta Bollandiana* Abbé A. Legris presents a careful study of the interpolated lives of the six saints who belonged to the monastery of Fontenelle during the first half-century of its existence (649-700), vindicating for them, incidentally, a greater value than has hitherto been assigned to them. A life of the Carmelite Saint Albert of Trapani is given from a Vatican manuscript. Fasc. IV., which completes the volume, contains the text of the manuscript of the *Libellus de Inventione Sanctae Crucis* preserved in the Bibliotheca Angelica. Abbé Duchesne, head of the French School at Rome, replies at length to the bitter polemic which Dr. Bruno Krusch, in the *Neues Archiv*, Vol. XXIV., directed against Duchesne and De Rossi's edition of the *Martyrologium Hieronymianum*, printed in the second November volume of the *Acta Sanctorum*. Reply is also made to Professor Ehrhard of Vienna, on the subject of the menology of Simeon Metaphrastes. In appendixes to the two *fasciculi*, ninety-six more pages of the catalogue of the Greek hagiographical manuscripts of the Vatican Library are printed.

The number of good books on Mohammedanism is fortunately growing steadily, if not rapidly, and it is now our pleasant duty to call attention to another one, namely: *Mohammeds Lehre von der Offenbarung quellenmässig untersucht* von Dr. Otto Pautz (Leipzig, J. C. Hinrichs, pp. 304). In this work Doctor Pautz devotes himself to a systematic study of Mohammed's religious teaching, and mentions only such facts in the prophet's life as are essential to a proper understanding of that teaching. The author has made a careful study of the Koran itself and of several of the best-known commentators and historians, and shows wide acquaintance with the works of western scholars who have written on Mohammed and Islam. The work is written in a very liberal spirit, and no western

reader will be likely to accuse Doctor Pautz of failing in appreciation of Mohammed's character and religious activity. Moreover, while believing the Christian religion superior to Islam, the author fully recognizes the good points of the latter religion, and, in the matter of religious earnestness and morality, draws comparisons between the adherents of the two beliefs not at all flattering to his own co-religionists. It will not be possible, in the space at our disposal, to discuss the book in detail, but we shall call attention to one or two points. In the section on Mohammed and the contemporary soothsayers and poets, there is an excellent discussion of some of the literary characteristics of the Koran. Dr. Pautz examines the passages which are commonly quoted to prove that predestination is taught in the Koran, and concludes that this doctrine was not part of the Koranic teaching. The author's own discussion of this point, and the long list of references which he gives to the works both of those who agree and of those who disagree with him on this point, will be of great help to a student seeking to arrive at an independent decision on this important question.

After an interesting comparison of the different accounts of the same occurrences given in the Bible and in the Koran, Dr. Pautz concludes that, whether Mohammed could or could not read and write, he did not, as a matter of fact, make use of any written sources, either Jewish or Christian, but depended on oral information obtained in his intercourse with Jews and Christians.

The book is provided with indexes of the transcribed Arabic words given in the body of the work, and of the passages quoted from the Koran and the Old and New Testaments. A list of additions and corrections concludes the work. It is a pity that the author has not added a full analytical table of contents and an index of subjects, for he would have increased not a little the usefulness of a book which deserves, and will repay, careful study.

J. R. J.

It is not likely that any one will expect to find in Watson's *Story of France* (Macmillan, Vol. I., pp. xv, 712) the results of original investigation, or look to it for an authoritative settlement of doubtful matters. It is plainly addressed to the great public, and they will find it abundantly interesting. The style is "breezy" and unconventional, with an occasional bit of dialect, and the author has an eye for the picturesque and for striking contrasts. As to the general accuracy, in the parts of the book which relate to the ordinary course of political events the writer seems to have followed better authorities than in those which deal with religion, manners and customs, and general civilization. The history of medieval times is less accurate, as was to be expected, than of modern. The chapter on Feudalism might have been written from Walter Scott, with a liberal misunderstanding of terms, but that on the Reformation is nearly as far from a real knowledge of the age in matters of detail. Indeed, Mr. Watson seems to have allowed a free rein to his feelings in writing of the iniquities of the Catholic Church, and to have kept them



under a stricter control than would have been anticipated in defining the theories of John Law and showing how they worked in practice. The preface frankly states that the book is history written with a purpose, and no one has a right to complain who is thus forewarned.

The series of "Oxford Manuals of English History," edited by Mr. C. W. C. Oman, has now been completed with the publication of the volume, of which the editor is the author, *England and the Hundred Years' War, 1327-1485* (Scribner, pp. 168). Whether there is a *raison d'être* for a history of England in this form probably need not concern anyone very much except the authors and the publishers. If they find a market for it, then for them it has a *raison d'être*. In this country there would seem to be little demand for separate text-books upon these periods, and the work is not quite up to the mark for collateral reading. The present volume is characterized by a certain prominence given to social and economic history, and even more by the amplitude of personal history. A good deal of this latter is valuable for side-lights, but some of it might better have been left for the teacher's gossip quarter-hour. Military matters are generally well handled. Dates are not unnecessarily obtrusive, and the practice of frequently giving the day of the month as well as the year will often help to keep events in their proper relations. There are a few maps and plans of battles and genealogical tables. Since there are some there ought to be more.

In *Deux Études sur Goethe* (Paris, Hachette, pp. 199) M. Michel Bréal treats of "Un Officier de l'Ancienne France" and "Les Personnages Originaux de la 'Fille Naturelle.'" "

M. Bréal gives to his "Studies" both historical and literary worth by his thorough investigation of the sources to which Goethe was indebted. The "Officier" is the Graf Thorane, described in the third book of Goethe's *Dichtung und Wahrheit*, who so impressed the youthful poet while quartered at his father's house, as governor of Frankfort during part of the Seven Years' War. Concerning the character and career of the French count, really François de Théas, Comte de Thorenc, M. Bréal explains many of Goethe's allusions. This review of his important public services at home and abroad, mostly unknown to Goethe, of his private life and temperament, will aid the reader of *Dichtung und Wahrheit* in answering many natural questions.

An equally minute and a more lengthy examination is made of the occurrences suggesting the plan of Goethe's *Natürliche Tochter* and of the single and composite characters in this incomplete trilogy on the French Revolution. We get a vivid picture of Stéphanie-Louise, the original of *Eugenie*. By literary comparisons and citations from comparatively unfamiliar history, M. Bréal strengthens his estimate of Goethe's method, and hopes to improve on existing criticisms of the piece by more careful study of Goethe's model and of the intended sequel. Reasoning from the concluding scene of the tragedy, from notes left by the poet, and

from letters recently published, he is convinced of Goethe's general plan even to the trend that the third part would have taken.

The "Notes et Documents" included in the volume, with an autograph of Princess Stéphanie, give completion to this painstaking criticism of M. Bréal.

No better evidence could be found of the increasing interest of the public in the history of the British Empire and of England's colonial policy than the numerous books on one subject or the other, including even series of books, which have appeared within the past two or three years. Most of these are addressed to this popular interest and make no claim to more investigation than enough to get correctly the general facts of history or biography. Even Greswell's *British Colonies* is a disappointment, for though the book appears in one of the popular series, and is somewhat above the average of such books, the author is so thoroughly familiar with the later history of the Empire that some increase of our knowledge is reasonably to be expected from him even in a short and popular book. Worthy of some praise indeed is his clear account of the various changes in governments and constitutions during the Victorian age.

There is, however, one book on the subject which stands in a class by itself. Egerton's *Short History of British Colonial Policy*, published in 1897 (London, Methuen, pp. xv, 503), is a thorough and critical study, from the sources, of England's policy from Gilbert and Raleigh to the present time. State papers, debates in Parliament, the writings of men connected with colonial affairs, and all sources likely to throw light on the government's policy are carefully examined. Nor is the author a mere investigator. Instructive comment, explanation and criticism accompany the narrative from the beginning. Especially deserving of study are the account of the troubles leading to the American Revolution, where Mr. Egerton holds that the English government were legally in the right but that their action was a "political crime," and the history of the decline of the *laissez-aller* principles. In this last instance one is inclined to regret that the author limits himself too closely to the policy of the government, and does not give us the history, which is still unwritten, of the great change in popular feeling about the colonies which took place after the middle of this century and which really was the cause of the change in heart of the government. One volume, which covers so long a period, is necessarily a "short history," but it has not been made short in this case by the sacrifice of thoroughness, or by slighting any important phase of colonial policy. The book cannot be overlooked by one who is interested in any side of colonial history. Mr. Egerton divides his subject into periods and his dividing dates are worthy of notice. He gives 50 pages to the period of beginnings, to 1650; 220 to that of trade ascendancy, to 1830; nearly 80 to that of systematic colonization, to 1860; 90 to that of the zenith and decline of the *laissez-aller* principles, to 1885; and 30 to the period of Greater Britain which follows.

*The Autobiography of a Veteran, 1807-1893*, by General Count Enrico della Rocca (Macmillan), has two strong claims to attention. First, it gives the testimony of an eye-witness of many of the most striking events in the history of Italy during this century; and secondly, it unfolds, with soldierly straightforwardness, an interesting personality. In his bluntness, honesty and candor Della Rocca reminds one of Gen. W. T. Sherman, but in addition to these qualities he has also the tact and *savoir faire* of a diplomatist. The student of Italian history will read these reminiscences to get new or corroborative material concerning the character of Charles Albert; the wars of 1848-1849, of 1859, 1860 and 1866; the negotiations between Cavour and Napoleon III.; the September Convention; the alliance between Italy and Prussia; with some casual hints of later politics down to 1878. In a few cases Della Rocca's statements have almost the novelty of revelation. Thus, he describes how, on the day before the battle of Solferino, Napoleon asked Victor Emanuel to ride alone with him for the ostensible purpose of reconnoitering. The King did so, bidding Della Rocca, his aide, to accompany them; and then Napoleon read a letter from Eugénie which, as Della Rocca expresses it, "was a tacit retraction by the Emperor of his promise to free Italy from the Alps to the Adriatic." Della Rocca confirms, by the way, the best previous reports of the unpreparedness of the French for the battle of Solferino. Fortunately for the success of the campaign, the Austrian generals were one degree more incompetent than the French. That MacMahon should have been given a marshal's baton and a dukedom for his performance at Magenta proves how determined Louis Napoleon was to make the most of his martial experiments.

On the middle ground between history and biography Della Rocca is particularly interesting. He throws light, fugitive but often vivid, on the famous personages amongst whom he moved. Who else has given us a glimpse of Charles Albert, sitting on the edge of a billiard table, dangling his long legs floorwards, recounting his travels and mimicking to perfection the voices and manners of the persons he had met? Della Rocca confesses that although he had frequent intercourse with Charles Albert for over twenty years, he never really understood his puzzling character until after his death—a statement which may be recommended to those persons who still find it hard to understand how Charles Albert could have been suspected by both Liberals and Retrogrades at the same time. Della Rocca's account of Victor Emanuel is still more intimate and entertaining, and adds several characteristic anecdotes of that really great king, who was never so happy as when he could "give full scope to his natural instincts and tastes, and become a *mousquetaire* of the seventeenth century." Henceforth no one who expects to comprehend the king who united Italy can overlook these reminiscences. The volume contains many other points of interest, and not the least of its merits is its unfolding of the life and character of Della Rocca himself. He has put in many of those slight personal bits which serve even better than mere political or military recollections, to keep an autobiography alive. His

pictures of old Turin in the first and second decades of the century, and of his family, should be compared with similar passages in Massimo d'Azeglio's *Ricordi*. Here and there he quotes letters and documents, but in the main he is less formal and more readable. It should be added that he began these memoirs at the age of eighty-six. The English version, by Mrs. Janet Ross, is a condensation in one volume of the two volumes of the original. She has usually omitted with good judgment, chiefly the veteran's discursive narrative of military affairs—and, except for some slipshod expressions, her style is readable; but there is considerable confusion in the spelling of proper names, and the proof-reading is weak.

It is apparent that there is a new and praiseworthy local interest in the historical origins of the metropolis. In some measure this encouraging sentiment has sprung from that antiquarian and genealogical enthusiasm which has recently filled the country with various "Sons" and "Daughters" of resounding parentage and has impelled so many people of leisure to investigate their right to wear the decorations of the new orders of nobility. It is principally this family scrap-book history which may be found in Mrs. John King Van Rensselaer's *Goede Vrouw of Manah-ta at Home and in Society, 1609-1760* (Scribner, pp. xxii, 418). The *Goede Vrouw* is said to be the name of the ship in which the first Van Rensselaer expedition came to America, but it is the typical Dutch housewife of the colonial aristocracy whom the author has in mind. She has compiled what she herself calls "a conglomerate history of the lives" of eight pioneer women of New Amsterdam. To the names and more especially to the marriages of these mothers in Israel the author has contrived to attach, in the first place, the usual outline of the colonial history down to 1760. In the second place she has surrounded the probable home life of her heroines with an interesting and heterogeneous collection of information about clothes and food, marriage and funeral customs, domestic architecture, amusements, real-estate titles, old landmarks, and everything else that a well-filled scrap-book should contain. The author evinces a commendable ingenuity in piecing together, but it cannot be said that she has overcome the real difficulty of presenting such facts in a lucid and systematic manner. Thus, in Chapter X., on "The Passing of the Pioneers," we pass suddenly from obituaries and eulogies to paragraphs on these topics: "The food of the early colonists; Introduction of vegetables into the colony; Patriotic crabs; Manufactory of salt; Poems on fish." Again in Chapter XX., the generations of the Alexander family and the Negro Panic of 1741 are fused in story under the mysterious title "Matches, Batches and Despatches."

In the third place, Mrs. Van Rensselaer has dexterously woven in among the bills of fare and descriptions of social customs a tolerably complete genealogical introduction to a dozen or more families, descendants of the pioneer women of Manhattan. A genealogical table, somewhat inadequate in respect to dates, helps to trace the various descents. This

family line is the thread on which is hung the greater part of the story in this volume. There does not seem to be much to tell of any of these people except what they ate, drank and wore, and how frequently they were married. The wealth of personal allusion and family history in the book will attract the attention of all who are interested in the early settlers of New York, but for the benefit of these readers the author should enlarge her index and amend some of her too hasty references. It is scarcely true that Quakers were "fried" in Massachusetts (p. iii); or that the Duke of York in 1664 (p. 121) could be influenced by the colonial successes of William Penn; or that Irish emigrants settled in Londonderry, Mass. (p. 158); or that the Dutch church in the fort was a Lutheran church (p. 194); or that the Livingstons (p. 384) were all "graduates of English colleges." Most of the Livingstons were, like John Morin Scott also, graduates of Yale.

The Statute Law Book Co., of Washington, D. C., issued in August 1898 an excellent facsimile reprint of the *Temporary Acts and Laws of His Majesty's Province of New Hampshire*, printed by Daniel Fowle of Portsmouth. It is a small folio of 49 pages, and contains, as a matter of fact, a reprint of six separately printed pieces, which came from Fowle's press between the years 1761 and 1768. The originals are very rare. Indeed, this reprint is made from the "only complete copy known." They are not in the catalogue of the Charlemagne Tower collection. Sabin does not record them; and the New York Public Library has only a few (pp. 1-28) of them, bound with the Acts and Laws of 1761.

The whole collection of *Acts* and *Temporary Acts* was reprinted by the state of New Hampshire in 1887; but not page for page, or in facsimile. In that edition, too, pp. 47-49 of the *Temporary Acts* were omitted. The facsimile before us is the first *complete* and only satisfactory reprint which we have. The edition is limited to fifty copies.

V. H. P.

*The Life and Times of James Hunter, "General" of the Regulators*, an address by Joseph M. Morehead, at Guildford Battle Ground, July 3, 1897 (Second Corrected and Enlarged Edition, Greensboro, C. F. Thomas, printer, 1898, pp. 67) is a defence of the Regulators based chiefly on the documents in the *Colonial Records of North Carolina*. The case for the Regulators, as justly revolting against the unbearable oppression of provincial and county officials, is very well sustained. But Major Morehead goes farther, and insists, as others have done, that the war of the Regulation was rebellion against the King of Great Britain. This point is not so well sustained, though there is something to be said for it. Neither is one quite convinced from this account that Hunter was really the leader of the Regulators. That he was one of the three or four chiefs is, however, evident. Furthermore the history of the movement, as read in this pamphlet, is not so clear as it should be, and one finds it necessary to turn to the more thorough (and also more judicious) account by

Professor John S. Bassett. It is borne in mind that this address was delivered before an audience supposed to be already in possession of the main facts of the history, but there are still too many gaps, too much taken for granted. A still more objectionable feature is the want of logical developments. Not to speak of typographical errors, there are numerous inaccuracies in the quotations, and several important quotations are not referred to their sources.

*The Rise and Growth of American Politics*, by Henry Jones Ford, (Macmillan, pp. viii, 409.) The purpose of this interesting and suggestive essay is "to tell the story of our politics so as to explain their nature and interpret their characteristics." It is not a narrative of events, but an attempt to explain causes in such a way that "the reader will understand the actual system of government under which we live."

The essay opens with a discussion of the origin of American politics. Holding that our politics are "an off-shoot from English politics," the author accounts for some supposed American characteristics on the ground that they are variations from methods that "died out in England but survived in the new world." After defining the political ideas of the authors of the Revolution and describing the conservative reaction that resulted in the adoption of the Constitution, Part I. concludes with a chapter showing the extent to which class rule prevailed during the early years of the Republic. Part II., sketching the political history down to the present time, shows the evolution of parties and how the extension of the suffrage undermined, and in the election of Jackson overthrew, the supremacy of the classes and converted the presidency into a representative institution. When the convention system made the electoral college a party agent the "constitutional design for the election of President" was completely effaced, and the office became an "instrument of popular control over the administration of public affairs."

Part III. is devoted to the organs of government. Here, too, because it is through party that the will of the nation is executed, party organization, subsistence and efficiency are considered. The author points out that in the period ending with the coming of Jackson the growth of parliamentary control was so great as to imperil the original conception of presidential duty. But when the presidential office came to have a direct representative character, as it has had since Jackson's time, its powers were so invigorated as to make executive policy decisive in political issues. Indeed, presidential authority has become so great that the author thinks "the American democracy has revived the oldest political institution of the race, the elective kingship."

The essay concludes with a discussion of the tendencies and the prospects of American politics. It is the author's belief that the further extension of executive authority is the only practical method of advancing popular rule. He finds that the democracy is perfecting as the ultimate type "the principle of the elective kingship as represented by the masterful Mayor, Governor, or President."



Mr. Ford has performed his task carefully and intelligently. His study has been thorough, and his treatment philosophic. His essay is a valuable contribution to the literature of the subject of which it treats.

JOHN WILLIAM PERRIN.

The files of newspapers possessed by the State Historical Society of Wisconsin number about ten thousand bound volumes. The Society's *Annotated Catalogue of Newspaper Files* (Madison, pp. 375), prepared by Miss Emma H. Blair under the direction of the Secretary, Mr. R. G. Thwaites, and the Librarian, Mr. I. S. Bradley, has therefore presented a difficult task, the performance of which has naturally been subject to delays. Its completion is a matter on which the Society is heartily to be congratulated, and not the Society only, but many historical students whose work calls them to extensive use of newspapers as material; for the collection is far from being purely local. Indeed a little more than half the pages of the catalogue are devoted to newspapers printed elsewhere than in Wisconsin. The richness of the collection in this respect is really astonishing, especially when one considers the youth of the Society and the present difficulty of making such acquisitions in the old states. Much English and Continental matter is also included. The plan of the catalogue is first to present lists arranged in alphabetical order of states and towns, then a chronological list from *Mercurius Aulicus* and *A Perfect Diurnall* down. The first, or geographical list goes into details as to the dates possessed, and is enriched with many valuable notes as to the history of the various papers. There is a full index of names, so that all this minute historical information is made perfectly accessible. The number of rarities in the collection is so considerable that the catalogue is in itself an interesting thing to dip into.

## NOTES AND NEWS

Dr. Robert Fruin, the *doyen* of Dutch historical professors, died at Leyden on January 29 (or 30), aged seventy-five. From 1860 until his retirement, a few years ago, he was professor of Dutch history at Leyden. Though he published no great work after the issue of his important *Tien Jaren uit den Tachtigjarigen Oorlog*, in 1859, he wrote a large number of important monographs, was the teacher of many if not most of the Dutch historians of the present time, and won unmeasured influence by his learning, wisdom and fairness.

Professor Alphons Huber of the University of Vienna, author of a highly valued but now unfinished history of Austria in five volumes, and of several studies in medieval numismatics, died in Vienna on November 23, aged 64.

Dr. Gustav Gilbert, professor in the gymnasium at Gotha and author of the well-known *Handbuch der griechischen Staatsalterthümer*, died on December 24.

Mr. Edward G. Mason, formerly president of the Chicago Historical Society, died on December 18, at the age of 59. An eminent lawyer and a good citizen, his title to remembrance among historical students rests partly upon his active exertions in behalf of the society mentioned, especially in securing for it its present impressive building and a large portion of its valuable collections, and partly upon those minor writings for which alone his professional occupations left him leisure. The papers which he wrote were chiefly essays in the history of Illinois in the eighteenth century.

Lewis H. Boutell died at Washington, D. C., on January 16, 1899, at the age of seventy-two. He was a member of the American Historical Association, and was the author of the following historical studies: *Alexander Hamilton*, 1890; *Thomas Jefferson, The Man of Letters*, 1891; *Roger Sherman in the Federal Convention*, 1894; *The Life of Roger Sherman*, 1896. At the opening of the Civil War Mr. Boutell enlisted in a Massachusetts regiment, and he subsequently became major of the Forty-fifth Missouri Regiment. From the close of his military service until a few years before his death he was engaged in the practice of law in Chicago.

Colonel Thomas C. Donaldson, compiler of the familiar government book on *The Public Domain*, died in Philadelphia on November 18, at the age of 55.

We have also to note the death, at New York, on March 18, of Dr. Philip J. J. Valentini, the noted authority on Central American archaeology, who was born in Berlin in 1828.

It is understood that Mr. W. J. Stillman, who, as participant in European revolutions, as American diplomatic representative in the Papal States and in Crete, and as correspondent of the *Times* during the Russo-Turkish War and in subsequent years at Rome, has had most varied and interesting experiences, is preparing his autobiography.

Part XX. of the *Historical Atlas of Modern Europe* includes maps of Europe from 1814 to 1863, by Professor G. W. Prothero; of ecclesiastical France, by Mr. W. E. Rhodes; and of Western Asia under the Mongols, 1330, by Stanley Lane-Poole.

MM. Armand Colin and Co. of Paris announce the eleventh volume of Lavissee and Rambaud's *Histoire Générale*, entitled *Révolutions et Guerres Nationales*, and extending from 1848 to 1870.

A new historical journal, called *Historisches Literaturblatt*, has begun to appear fortnightly from the house of A. Hettler in Basel. It is to be devoted to comprehensive critical reviews of the recent books in special historical fields, to individual reviews, bibliography, reports of the contents of historical journals, etc. The first number contained a general review of the most recent investigations in Egyptian history, by A. Wiedemann.

The *Northwestern Monthly*, an educational journal published in Lincoln, Neb., contains in each issue certain series of documents in English for the study of European and American history. Those in European history (recently devoted to the history of Rome) are edited by Professor F. M. Fling, those in American history by Professor H. W. Caldwell. The European issues for the present year relate to a variety of topics in the history of medieval civilization, while those in the American series relate respectively to Gallatin, John Quincy Adams, Clay, Webster, Calhoun, Sumner, Douglas, Seward, Chase and Blaine.

The library of the University of Pennsylvania has been lately acquiring an unusually extensive set of British Parliamentary papers. The agents, Messrs. P. S. King and Co. of London, have printed an annotated catalogue of the earlier papers.

The *Revue de l'Université de Bruxelles* for October-December contains an article by Dr. Michel Huisman on the teaching of history in the historical seminaries of the University of Strassburg ("Chronique Strassbourgeoise") which old students at that place will be glad to see.

#### ANCIENT HISTORY.

The Egypt Exploration Fund has published an *Atlas of Ancient Egypt*, containing, besides eight maps in colors, a variety of geographical and historical notes, Biblical references, and a full index.

During the present winter the Egypt Exploration Fund has been conducting various explorations. Dr. Édouard Naville has been working at Deir el-Bahari, opposite Thebes. Professor Flinders Petrie has been exploring the pre-dynastic tombs found between Denderah and Hou, just below Koptos. Mr. N. de G. Davies has been laboring in the tomb of Ptah-hotep at Saqqarah, the tomb of a pyramid priest in the time of the fifth dynasty. For the Graeco-Roman branch of the work, Messrs. Grenfell and Hunt have been at work in the Fayum, where they have found a considerable number of papyri.

In the Semitic Texts and Translation Series (London, Luzac) Mr. L. W. King has published the first volume of a series of original Babylonian texts edited from tablets in the British Museum, entitled *Letters and Inscriptions of Hammurabi, King of Babylon about B. C. 2200, Series of Letters of other Kings of the First Dynasty of Babylon*. This first volume contains Mr. King's introduction to the Babylonian texts. These will be accompanied with English translations, summaries and notes.

The Rev. C. H. W. Johns, in the first volume of his *Assyrian Deeds and Documents regarding the Transfer of Property*, presents over 700 documents, chiefly of the seventh century B. C., in lithograph. Less than one hundred documents of this kind had previously been published. Their historical value of course lies largely in the fact that they are absolutely contemporary with the events which they record and are free from all suspicion of bias. In a second volume Mr. Johns will present comments and explanations bearing upon various questions in the history of Assyrian civilization. A portion of the expense of publication has been borne by the Dukes of Devonshire and Portland.

Professor Hugo Winckler of Berlin, in the ninth *Heft* of his *Alt-orientalische Forschungen* (Leipzig, E. Pfeiffer) discourses of internal politics in the later Babylonian kingdom, of the time of the restoration of Judah, of the reforms of Nehemiah, and of Daniel and his friends.

In the *Sitzungsberichte* of the Prussian Academy, No. 36, Dr. Walther Judeich reports upon an archaeological mission in the northwest of Asia Minor which he undertook for the Academy in 1896. His journey was from Chanak-Kalessi to Pergamon and Broussa, and resulted in the identification of many ancient localities.

MM. Perrot and Chipiez have brought out the seventh volume (*La Grèce de l'Épopée, La Grèce Archaique*) of their *Histoire de l'Art dans l'Antiquité* (Paris, Hachette).

Dr. Johannes Baunack has completed his collection of Delphic inscriptions, and with it the second volume of Dr. Hermann Collitz's *Sammlung der Griechischen Dialekt-Inschriften* (Göttingen, Vandenhoeck and Ruprecht, pp. 963).

In *Philologus*, LVII. 3, Dr. Edmund Lange completes his review of writings relating to Thucydides which have been published since 1890.

The March number of the *Revue Historique* contains a summary review of recent French books on Roman history, by M. Camille Jullian.

Professor Robinson Ellis's new edition of Velleius Paterculus (Oxford, University Press; New York, Henry Frowde) is a purely critical edition with preface, apparatus and commentary written in Latin. The text is based upon the Basel manuscript of Amerbach. Mr. Frowde also publishes Mr. St. George Stock's Clarendon Press edition of Caesar's Gallic War. Mr. Stock's text is that of Hoffman. His chief effort is to illustrate the historical matter of Caesar. The linguistic notes are not numerous, but there are long introductory chapters on the book, its author, the wars and provinces which it describes, and the Roman army.

The *Roman History of Appian of Alexandria* has been translated from the Greek by Horace White, and published in two volumes by the Macmillan Company.

Under the title, *Roman Africa: Archaeological Walks in Algeria and Tunis*, Messrs. G. P. Putnam's Sons have published a translation, by Arabella Ward, of Gaston Boissier's well-known book.

Professor Otto Hirschfeld, of Berlin, has begun a new epigraphical enterprise, publishing the first *Lieferung* of a collection of *Inscriptiones trium Galliarum et duarum Germaniarum Latinae* (Berlin, G. Reimer).

For his inaugural lecture as professor of ancient history at Giessen Professor Ernst Kornemann chose the interesting subject of the transformation of the Gallic and Germanic communities of northern Italy and the transalpine regions into Roman *civitates*. The discourse as published, *Zur Stadtentstehung in den ehemals keltischen und germanischen Gebieten des Römerreichs* (Giessen, Münchow) extends to the close of the fourth century A.D., and will form a chapter of a more extensive work on Roman municipalities.

Noteworthy articles in periodicals: W. Hopkins, *Land Tenure in Ancient India* (Political Science Quarterly, December); F. Spiegel, *Die alten Religionen in Iran* (Zeitschrift der Deutschen Morgenländischen Gesellschaft, LII. 2); W. J. Woodhouse, *The Greeks at Plataiai* (Journal of Hellenic Studies, XVIII. 1); H. Lipsius, *Beiträge zur Geschichte griechischer Bundesverfassungen* (Berichte über die Verhandlungen der k. sächsischen Gesellschaft der Wissenschaften, L. 3); B. I. Wheeler, *Alexander's Conquest of Asia Minor* (Century, February); G. Colomb, *La Campagne de César contre Arioviste* (Revue Archéologique, July).

#### EARLY CHURCH HISTORY.

The Church-Father Commission of the Berlin Academy have added to their series of *Die Griechischen Christlichen Schriftsteller*, of which the first volume is reviewed elsewhere in these pages, two volumes of Origen, containing the *De Martyrio* and *Contra Celsum*. In their *Texte und Untersuchungen* (Leipzig, Hinrichs) they have recently brought out

the Apocalypse of Elias and fragments of the Apocalypse of Sophonias, Coptic texts with translations; a series of liturgical fragments of the Egyptian church; a letter of Bishop Serapion of Thmuis; and a dissertation by Professor Jeep on the text of Philostorgios.

Bishop Coxe's American edition of the *Anti-Nicene Fathers* has been acquired by Messrs. Charles Scribner's Sons, who offer it at a reduced price, and appear to make it the corner-stone of their so-called Christian Literature Club. Besides the eight volumes of the Edinburgh edition, the American edition will contain two more. The ninth, edited by Professor Allan Menzies of St. Andrews, will contain the Gospel of Peter, the Apocalypse of Peter, the Visio Pauli, the Apocalypse of the Virgin and Sedrach, the Testament of Abraham, the Acts of Xantippe and Polyxena, the Narrative of Zosimus, the Diatessaron of Tatian, the Apology of Aristides, a complete text of the Epistles of Clement, and Origen's commentaries on Matthew and John. The tenth volume is to contain a "bibliographical synopsis" by Dr. E. C. Richardson, librarian of Princeton University, and a general index, which, somewhat strangely, is announced to include only Volumes I. to VIII.

Dom Cuthbert Butler casts much new light on the problems relating to the sources for the early history of monachism by his edition of *The Lausiuc History of Palladius* ("Texts and Studies," VI. 1, Cambridge, 1898, pp. xiv, 297), of which the text and a large part of the prolegomena are now published. The editor has a new view of the relations between the *Historia Lausiaca* and the *Historia Monachorum* and believes the Greek text of the latter to be its original.

Messrs. Little, Brown and Company have ready the fifth volume of Harnack's *History of Dogma*, dealing chiefly with Augustine and his teaching. There are two more volumes yet to come.

In the *Revue de l'Orient Latin*, V. 3 and 4, Dr. Chr. Kohler presents an "Index Rerum et Personarum quae in *Actis Sanctorum Bollandistis et Analectis Bollandianis* obviae ad Orientem Latinum spectant."

#### MEDIEVAL HISTORY.

The Vienna Academy have issued, as a volume of their *Corpus Scriptorum Ecclesiasticorum Latinorum* (Vienna, F. Tempsky, pp. 480), a collection of *Itinera Hierosolymitana Saeculi IIII.-VIII.*, edited by Dr. Paul Geyer. A record of a much later pilgrimage, to Jerusalem and Sinai, made in the fifteenth century by the Zürich monk Felix Schmid, is given in No. 62 (1899) of the *Neujahrsblatt des Waisenhauses in Zürich* (Z., Fäsi and Beer, pp. 62).

The chief article in the *Neues Archiv*, XXIV. 1, consists of contributions by Dr. K. Zeumer to the study of Visigothic documents and Visigothic legislation, especially the second book of the *Lex Visigothorum*. P. Scheffer-Boichorst publishes some sixty new documents of the Hohenstaufen period, relating to Italy and Burgundy.



Professor Theodor Mommsen has brought out a new edition of the life of St. Severinus by Eugippius, *Eugippii Vita Severini* ("Scriptores Rerum Germanicarum in usum Scholarum," Berlin, Weidmann, 1898, pp. xxxii, 60), being satisfied neither with that given by H. Sauppe in the *Monumenta*, in 1877, nor with that given by P. Knoell in the Vienna *Corpus Scriptorum Ecclesiasticorum*, in 1886. In *Hermes*, Vol. XXXII. (1897) he set forth his reasons for siding with Sauppe in preferring the Campanian class of manuscripts; in the same journal, XXXIII., he has printed further "Eugippiana."

M. Gabriel Monod publishes, as No. 119 in the *Bibliothèque de l'École des Hautes Études* (Paris, Bouillon, pp. 174) the first part, extending to 829, of his long-expected *Études Critiques sur les Sources de l'Histoire Carolingienne*.

Dr. Paul Geyer, of the gymnasium of Erlangen, intends to bring out a new edition of Adamnan *De Locis Sanctis*, concerning the text of which he has published two dissertations in the programme of the gymnasium.

The Bollandist fathers have begun the publication of a *Bibliotheca Hagiographica Latina Antiquae et Mediae Aetatis*, composed upon the plan of their *Bibliotheca Hagiographica Graeca*, and intended to contain mention of all the hagiographical texts (lives, passions, narratives of translations and of miracles) written in Latin before the beginning of the sixteenth century. The first fasciculus (Brussels, pp. 224) extends from Abbanus to Caecilia.

Dr. Reinhold Röhricht, whose book on the kingdom of Jerusalem, the last of a long series of publications on the history of the Crusades, was recently mentioned in these pages, has published through Wagner of Innsbruck a *Geschichte der Kreuzzüge im Umriss* (pp. 273).

Noteworthy articles in periodicals: W. Levison, *Zur Geschichte des Frankenkönigs Chlodovech* (Bonner Jahrbücher, 103); G. van Vloten, *Zur Abbasiden-Geschichte* (Zeitschrift der Deutschen Morgenländischen Gesellschaft, LII. 2); H. Hubert, *Étude sur la Formation des États de l'Église* (Revue Historique, January, March); W. Sickel, *Das byzantinische Krönungsrecht bis zum 10. Jahrhundert* (Byzantinische Zeitschrift, VII. 3, 4); F. Schupfer, *La Scuola di Roma e la Questione Irneriana* (Memorie della Reale Accademia dei Lincei, 5, V. 1).

#### MODERN EUROPEAN HISTORY.

The sixth volume of the *Translations and Reprints from the Original Sources of European History* opens with a collection of extracts, chiefly political in their nature, from the French philosophers of the eighteenth century, Montesquieu, Voltaire, Rousseau, Diderot, D'Alembert, Holbach, Turgot, Sieyès. The collection is edited by Dr. Merrick Whitcomb. Other issues in the same volume are to be the X. Y. Z. Letters, edited by Professors McMaster and Ames; a series of extracts on

the early Germans, edited by Dr. A. C. Howland; extracts from the *Notitia Dignitatum*, edited by Dr. William Fairley; and a portion of the laws of Charlemagne, edited by Professor D. C. Munro. Dr. Whitcomb's *Literary Source-Book of the Italian Renaissance* is to be followed by a *Literary Source-Book of the German Renaissance*.

M. Hermann Muller's *Les Origines de la Compagnie de Jésus : Ignace et Lainez* (Paris, Fischbacher, pp. 329) is mainly devoted to a critical examination of the question how far the principles and constitution of the Society originated with Loyola, and how far they were elaborated by Lainez and other successors. The author also develops a striking amount of resemblance between the plan of the Society and that of certain Mohammedan religious organizations previously existing in the North of Africa.

Father Otto Braunsberger, S. J., has followed up his first volume of *Beati Petri Canisii Societatis Iesu Epistulae et Acta* with a second of equally admirable workmanship, extending from 1556 to 1560, and containing some six hundred pieces hitherto unprinted (Freiburg i. B., Herder, pp. lxi, 950).

Sir Harry H. Johnston, late administrator of British Central Africa, has contributed to the Cambridge Historical Series (Cambridge University Press) a short *History of the Colonization of Africa by Alien Races*.

Noteworthy articles in periodicals: M. de Vernouillet, *Rhodes et le Siège de 1522* (Revue d'Histoire Diplomatique, XII. 3); F. Roth, *Der Einfluss des Humanismus und der Reformation auf das gleichzeitige Erziehungs- und Schulwesen* (Schriften des Vereins für Reformationsgeschichte, 60); P. de la Gorce, *Les Duchés de l'Elbe, l'Allemagne et l'Europe*, 1866, 1867 (Le Correspondant, December 25, January 10, 25); Comte Fleury, *La France et la Russie en 1870*, I. (Revue de Paris, December, 15).

#### GREAT BRITAIN AND IRELAND.

The index to parts III. and IV. of the catalogue of Rawlinson's miscellaneous manuscripts in the Bodleian Library, prepared by the Rev. W. D. Macray, the editor of the catalogue, is to be issued from the Clarendon Press. It is a minute index, not only to the text of the catalogue, but also to the general contents of the manuscripts.

We have heretofore called attention to Mr. W. Dawson Johnston's annotated catalogue cards for books on English history. The publishing section of the American Library Association has adopted them, has issued a small number of cards for 1897, and is proceeding to put forth in quarterly installments some fifty or sixty cards for the books of 1898. Beside the usual bibliographical information, annotations are added describing the books and naming or summarizing the most important reviews of them. The section is prepared also to furnish these annotated titles in pamphlet form.

Mr. W. H. Stevenson has in the press the Sandars Lectures of 1898, a volume bearing the title of *The Anglo-Saxon Chancery; a History of the Charters of the Old English Kings* (Cambridge University Press).

The promoters of the Alfred Memorial have agreed upon the publication of a book, which will be entitled *Alfred the Great*. It will be edited by Mr. Alfred Bowker, ex-mayor of Winchester, and will contain chapters on the Saxon Laws, by Sir Frederick Pollock; on Alfred as King, by Mr. Frederic Harrison; on Alfred as Educationist, by the Bishop of Bristol; on Alfred as Captain, by Professor Oman; on Alfred as Writer, by the Rev. Professor Earle; on Alfred as Geographer, by Sir Clements Markham; and on Saxon Art, by the Rev. W. J. Loftie.

Miss E. M. Leonard, formerly a student of Girton College, is preparing for publication by the Cambridge University Press a volume on *The Early History of English Poor Relief*.

The corporation of Leicester has now published the series of extracts from its early archives (1100-1327) to which we have heretofore referred in these pages. The volume, entitled *Records of the Borough of Leicester*, comprises about 600 pages. It has been carefully edited by Miss Mary Bateson, associate and lecturer of Newnham College, with revision by Mr. W. H. Stevenson and Canon Stocks and a preface by the Bishop of London. The charters and extracts, in Latin or Old French, are accompanied by translations. The records are of great importance to English municipal history; they are drawn from the rolls of the merchant guild, from the mayors' accounts, from the records of the Portmanmoot, from the tallage rolls and those of the coroners. Charters and official lists, facsimiles and indices are also included. The volume is published by the Cambridge University Press.

The Oxford University Press (Henry Frowde, 91 Fifth Avenue, New York) issues in small quarto the *Records of Merton Priory in the County of Surrey*, derived chiefly from early and unpublished documents by Major Alfred Heales, F. S. A., with collotype and other illustrations.

The Chetham Society has brought out (1897, 1898) as Vols. 38 and 39 of its publications the *Chartulary of Cockersand Abbey* in Lancashire, useful to English economic history and especially to the history of agriculture.

The Société de l'École des Chartes has published an interesting and important volume of reports and documents on the popular rising under Richard II., edited by Professor André Réville and M. Charles Petit-Dutaillis. The volume is entitled *Le Soulèvement des Travailleurs d'Angleterre en 1381* (Paris, Picard).

Vol. XII. of the publications of the Selden Society is composed of *Select Cases in the Court of Requests, 1497-1569* (pp. 257), edited by Mr. I. S. Leadam. The texts are English and Latin.

Father Gasquet has brought out (London, John Nimmo) a new edition of his well-known *Henry VIII. and the English Monasteries*, revised

in the light of the new information brought out during the last ten years by Mr. Gairdner's *Calendar of State Papers* and by other books.

Under the title *The Elizabethan Clergy and the Settlement of Religion* (Clarendon Press), Mr. Henry Gee has published a minute and careful study of ecclesiastical history between 1558 and 1564, with special reference to the number of deprivations then carried into effect. Mr. Gee's researches, far closer than those of his predecessors, indicate about two hundred of such in a body of nearly ten thousand clergy.

The Scottish History Society is about to publish a series of documents and papers from the Vatican Archives relating to the papal embassies to Mary Queen of Scots and her mother the Regent. They have been selected for the Society by the Rev. J. Hungerford Pollen, S. J., and include documents relating to the mission of Nicolas de Pelevé, bishop of Amiens, legate to the Queen Regent, and to the negotiations of Nicolas de Gouda and Vincent Laureo, papal envoys to Queen Mary, in 1561-1562 and in 1566-1567. This will be practically the first publication of material from the Vatican Archives relating to the history of Scotland. During the present year the Society expects to bring out a first volume of *Documents Relating to the History of the Scots Brigade in the Netherlands*, edited by Mr. James Ferguson, and a volume on *Scotland and the Protectorate*, by Mr. C. H. Firth. The papers on the Scots Brigade consist of extracts from the resolutions of the States-General and of the Council of State and from their diplomatic and military correspondence. The first volume will extend to the Revolution of 1688, when the brigade passed for about ten years into the direct service of Great Britain. The second extends from the return of the brigade until it was merged in the Dutch army in 1783. It is intended to issue a third volume of papers originally belonging to the individual regiments and now preserved in the municipal archives of Rotterdam.

The Huguenot Society of London has arranged to issue, as an extra volume, a monograph on the Dutch Church at Colchester and its registers, by Mr. W. J. C. Moens, the chief authority on the Dutch churches in England. The refugee settlement at Colchester was a specially large and important one, famous for its manufacture of bays and says, and much fresh information on its history has been obtained by Mr. Moens. The volume can be subscribed for through him (Tweed, Lymington, Hants) or any fellow of the Society.

Messrs. Methuen and Co. have in hand an elaborate edition of Hobbes's *Leviathan*, to be edited by Mr. W. G. Pogson-Smith, of St. John's College, Oxford.

Messrs. Henry Young and Sons of Liverpool announce for early publication a work on *Liverpool in the Time of Charles II.*, which Sir Edward Moore, Bart., of Bank Hall, Liverpool, wrote in 1667-1668 for the guidance and instruction of his son and heir. The work, though once privately printed, has never been published for sale before. It will be edited by Mr. William Fergusson Irvine.

Messrs. Longmans, Green and Co. have ready the fourth volume of the *Memoirs of the Verney Family*, bringing the family history down from the Restoration to the death of Sir Ralph Verney in 1696.

The third volume of Mr. Laird Clowes's *History of the Royal Navy* relates to the period from 1714 to 1793. Mr. Clowes himself writes the civil history of the navy during that period and the history of the greater naval operations from 1714 to 1762, while Captain Mahan presents a brilliant narrative of the major operations from 1763 to 1792. Sir Clements Markham contributes a brief chapter on the voyages and discoveries. The minor operations of the earlier period are described by Mr. L. Carr Laughton. Those of the second period will be described by Mr. H. W. Wilson in the fourth volume. The latter is expected to be published this spring, and will contain a chapter on the naval war of 1812 by Governor Roosevelt.

It is understood that Sir William Harcourt, obtaining leisure by the resignation of Liberal leadership, will devote a part of it to a biography of Bolingbroke.

Mr. W. K. Dickson has edited for Messrs. W. and A. K. Johnston of Edinburgh a third edition of Johnston and Robertson's *Historical Geography of the Clans of Scotland*, first published in 1872. Mr. Dickson has added a narrative of the Highland campaigns, General Wade's report of 1724 and a portion of a "Memorial anent the True State of the Highlands" attributed to Lord President Forbes, and has carefully revised both maps and text.

The collection of papers and manuscripts heretofore preserved by the Earl of Hardwicke at Wimpole Hall, a collection rich in documents relating to the political affairs of Great Britain during the eighteenth century, was sold by auction in London on February 22-25.

The *Forty-fourth Annual Report of the Postmaster-General* contains in an appendix a history of the delivery of letters in rural districts from the beginning of the system in 1764 to the present time.

It is likely that Sir Herbert Maxwell's exhaustive life of the Duke of Wellington will not be published until the autumn.

M. Eugène d'Eichthal has published in French (Paris, Alcan) *La Correspondance inédite de Stuart Mill avec Gustave d'Eichthal*, interesting on the one side as showing a part of the development of Mill's political thought, and on the other for the history of St. Simonism. Mill's correspondence with Comte has also been recently published by the same house.

The State Trials Committee have published an eighth volume of their new series, edited by Mr. J. E. P. Wallis, and extending from 1850 to 1858. The volume contains reports of the trial of Simon Bernard for participation in the Orsini plot; of Lieutenant Pate for assault upon the Queen; of the Wensleydale life-peerage claim, and other cases of constitutional interest.

Colonel Edward Vibart, late of the Fifteenth Bengal Cavalry, probably the last survivor of those British officers who were in the garrison at Delhi when the Indian Mutiny broke out, has published a thrilling narrative of his escape and other adventures in the campaign under the title of *The Sepoy Mutiny as Seen by a Subaltern, from Delhi to Lucknow* (London: Smith, Elder and Co.). The volume is supplemented by two chapters by Mr. P. V. Luke and Colonel A. R. D. Mackenzie, the former relating to the telegraph operator's celebrated despatch and the other giving a personal account of the outbreak at Meerut.

The Macmillan Co. are about to publish the *Life of Admiral of the Fleet Sir Henry Keppel*, with illustrations by the late Sir Oswald Brierly.

Messrs. Chatto and Windus will publish, this spring, *The Romance of a Pro-Consul, being the Personal Life and Memories of the Right Hon. Sir George Grey, K.C.B.* The author is Mr. James Milne, who was on terms of intimate friendship with Sir George Grey.

The *Life and Letters of Archbishop Benson* will be published this spring by the Macmillan Company. The volume is edited by Dr. Benson's son and will contain portraits and illustrations.

The Macmillan Company are publishing a book called *The Welsh People; their Origin, Language and History*. For this volume the interesting matter contained in the report of the Royal Commission on Land in Wales and Monmouthshire has been edited, with additions, notes and appendices, by Professor John Rhys and Mr. David Brynmor Jones, Q.C., M.P. The book presents a thorough study of the Welsh race, laws and language and of the constitutional relations of Wales to England. The appendix contains an exhaustive bibliography.

Mr. Michael MacDonagh is preparing what is intended to be an exhaustive and critical life of Daniel O'Connell. In writing the life of Bishop Doyle Mr. MacDonagh came upon much new and important information respecting O'Connell's career as an agitator, and he expects to make much use of unpublished letters and documents relating to the subsequent portions of his career.

Early this year Messrs. Blackwood expect to publish a *History of the Border Counties* by Sir George Douglas, in which the author has aimed to bring the history of these counties into line with the results of recent research.

A brief bibliography of Delagoa Bay will be found in the issue of *Literature* for November 16.

The indefatigable Sir William Hunter has published through Messrs. Longmans, Green and Co. the first volume of a new *History of British India*, bringing his story down to the overthrow of the English in the Spice Archipelago in 1623.

Messrs. Frederik Muller and Co. of Amsterdam have at length published their photo-lithographic reproduction of Tasman's *Journal* of his



discovery of Van Diemens Land and New Zealand in 1642, with documents relating to his exploration of Australia in 1644. Besides the fac-simile of the manuscript journal and of the fifty-three colored drawings and charts which accompany it, the volume contains an English translation, Professor J. E. Heeres's account of the life and labors of Tasman, original documents, etc.

Under the title, somewhat unfortunate and concealing, as it seems to us, of *The Long White Cloud—Ao-tea-roa*, Mr. William P. Reeves, Agent-General of New Zealand in London, has published (London, Marshall, pp. 430) an important and valuable work on the history of that colony.

Noteworthy articles in periodicals: W. B. Paley, *The Roman Roads of Britain* (Nineteenth Century, November); W. H. Stevenson, *The Beginnings of Wessex* (English Historical Review, January); *St. Thomas of Canterbury* (Church Quarterly Review, January); G. Neilson, *Tenure by Knight-Service in Scotland* (Juridical Review, January); J. R. Tanner, *The Navy from the Restoration to the Revolution* (English Historical Review, January); G. Toudouze, *La Bataille de la Hougue, 1692* (Revue Maritime, October, November); *Admiral Duncan* (Quarterly Review, January); P. Thureau-Dangin, *La Renaissance Catholique en Angleterre au XIX<sup>e</sup> Siècle* (Le Correspondant, October 25, November 10); J. Bryce, *British Experience in the Government of Colonies* (Century, March).

#### FRANCE.

The house of Felix Alcan has in press the eighth volume of the *Inventaire Analytique des Archives du Ministère des Affaires Étrangères*, containing the political correspondence of Guillaume Pellicier, French ambassador in Venice, 1540-1542, edited by M. Alexandre Tausserat-Radel; the second and third (concluding) volumes for Spain, by M. Morel-Fatio and Léonardon, in the *Recueil des Instructions données aux Ambassadeurs et Ministres de France*; and two volumes in the same series, for Savoy or Sardinia and Mantua, edited by M. Horric de Beaucaire. M. Alcan also expects shortly to issue the third and last volume of M. Eugène Plantet's official *Correspondance des Beys de Tunis et des Consuls de France avec la Cour, 1577-1830*.

The Société de l'Histoire de France, at the instance of Count Horric de Beaucaire, and with friendly aid from the departments of foreign affairs and instruction (MM. Hanotaux and Rambaud) has undertaken a new critical edition of the *Mémoires* of Richelieu. This great task, filling perhaps fifteen volumes, will extend over ten or a dozen years. The first two volumes are expected to appear before the end of the present year. The society also expects to bring out this year a new edition of the memoirs of the Huguenot Duke of Bouillon, 1555-1586, accompanied by many unprinted letters of Henry IV. and others to the duke. This will be edited by the newly-elected president of the society, Count Baguenault de Puchesse.

M. Albert Sorel's *Nouveaux Essais d'Histoire et de Critique* (Paris, Plon) include essays on Taine, Richelieu, Frederick II., the trial of Marshal Ney, and a series of *Vues sur l'Histoire* which present the author's philosophy of the art of historical writing.

A book expected to take the highest rank is M. Charles de la Roncière's *Histoire de la Marine Française*, of which the first volume, extending from the earliest times to the treaty of Brétigny, has just appeared (Paris, Plon, pp. 532).

In the December issue of the *Comptes-rendus* of the Académie des Sciences Morales et Politiques M. E. Levasseur begins a series of papers on the sources for the history of the working classes and of industry in France, presenting at the same time a bibliography of the subject for the Gallo-Roman period.

The Viscount d'Avenel has published the third and fourth volumes of his important *Histoire Économique de la Propriété, des Salaires, des Denrées et de tous les Prix en général depuis l'an 1200 jusqu'à l'an 1800*.

Abbé Em. Briant's *Histoire de Sainte Radegonde, Reine de France, et des Sanctuaires et Pèlerinages en son Honneur* (Paris, Oudin, pp. 536), a work marked by high scholarship though also by some credulity, has been printed magnificently and adorned with many interesting photographs, chromolithographs and engravings.

A valuable contribution to the history both of France and of Italy in the thirteenth and fourteenth centuries is R. Holtzmann's *Wilhelm von Nogaret, Rat und Grossiegelbewahrer Philipps des Schönen von Frankreich* (Freiburg i. B., Mohr, pp. 279).

M. Georges Daumet publishes, as No. 118 of the *Bibliothèque de l'École des Hautes Études* (Paris, Bouillon, pp. 273), an important *Étude sur l'Alliance de la France et de la Castille au XIV<sup>e</sup> et au XV<sup>e</sup> Siècle*, an alliance which endured almost without interruption from 1312 to 1474.

M. Paul Bonnefon's *Montaigne et ses Amis* (Paris, Armand Colin, two vols.) is an elaborate work, the result of extensive and learned researches, which casts much light on Montaigne's surroundings and thus on his life and thoughts.

M. Alfred Galland, professor in the Lycée de Laval, in his *Essai sur l'Histoire du Protestantisme à Caen et en Basse-Normandie, de l'Édit de Nantes à la Révolution* (Paris, Grassart, pp. 550), besides narrating the events in the history of Protestantism under the Edict and in the development of the persecution and the final emancipation, makes a solid and interesting contribution to the knowledge of Huguenot life and manners, intellectual and industrial activity in Normandy during two centuries.

M. Fortunat Strowski, in his *Saint François de Sales : Introduction à l'Histoire du Sentiment Religieux en France au XVII<sup>e</sup> Siècle* (Paris, Plon, pp. 424) presents not only a biography, but a penetrating and scientific study of the inner history of Catholicism in France after the period of

the Counter-reformation, and of the transition from that mere attachment to the Church as the symbol of order which, according to him, was the prevalent attitude at the beginning of the century, to a period marked in a high degree by piety and mysticism.

M. Alfred des Cilleuls, in his *Histoire et Régime de la Grande Industrie en France aux XVII<sup>e</sup> et XVIII<sup>e</sup> Siècles* (Paris, Giard et Brière, pp. 406) endeavors, upon the basis furnished by minute studies of the journals and documents of the Conseil du Commerce, to answer the question, to what extent industrial freedom progressed in France after Colbert's time, and how largely enfranchisement was the work of the Revolution.

Count d'Haussonville's first volume on *La Duchesse de Bourgogne et l'Alliance Savoyarde sous Louis XIV.* (Paris, Calmann Lévy, pp. 502), a volume which unites studies of diplomatic history, of the court, and of personal biography of the duchess and her husband, brings his narrative down to the date of their marriage.

M. Marcel Marion, professor in the Faculty of Letters of Bordeaux, has subjected to exhaustive study the relations of the Duke of Aiguillon to the Parliament and magistrates of Brittany, an episode in the history of the struggle between absolute monarchy and the local magistracies. His book, *La Bretagne et le Duc d'Aiguillon, 1753-1770* (Paris, A. Fontemoing, pp. 624), sums up decidedly for the royal governor, and lays the blame for the conflicts on the magistrates.

M. Pierre Boye's *Stanislas Leczinski et le Troisième Traité de Vienne* (Paris, Berger-Levrault, pp. 588), a thesis presented to the Faculty of Letters of Nancy, rests on thorough studies in the archives of France, Germany, Austria and Poland, and presents a less favorable view of Stanislas as duke of Lorraine than has hitherto been usual.

The "Librairie Historique de la Révolution et de l'Empire" has published at Paris the first volume (A to F) of a solid book of reference entitled *Dictionnaire Historique et Biographique de la Révolution et de l'Empire*. The work is edited in respect to general history by Dr. Robinet, in respect to the descriptive and biographical portions by M. Adolphe Robert, in respect to constitutional and legislative history by M. Le Chaplain.

The Société de l'Histoire de la Révolution has published *Les Sections de Paris de 1790 à l'An IV.* (pp. 320), by Mr. Ernest Mellié, in which the activities of those bodies are studied with great precision, although, it must be added, with strongly radical prepossessions.

Professor Aulard intends soon to publish in book form, under the title *L'Histoire Politique de la Révolution*, a series of articles which he has lately been contributing to *La Révolution Française*, several of which have heretofore been mentioned in these pages. The influence of the American Revolution and of American state constitutions upon the development of political ideas in France will be treated.

M. Charles-Louis Chassin has completed his documentary history of *Les Pacifications de l'Ouest* (Paris, Dupont, T. II., 636 pp., T. III., 803 pp.). His second volume recounts the events of Hoche's dictatorship and proceeds to the failure of the Irish expedition in December, 1796. The third carries on the study of the Vendée and of the Chouans from the 18th Fructidor to the Concordat, with a supplementary chapter on the plots of the Royalists under the Empire and their action in 1814 and 1815.

The *Collection de Documents relatifs à l'Histoire de Paris pendant la Révolution* has been enriched by the addition of a volume made up by M. Aulard, chiefly out of the newspapers and the reports of the police, presenting varied materials for the period from July 26, 1794, to June 9, 1795, and entitled *Paris pendant la Réaction thermidorienne et sous le Directoire* (Paris, Cerf).

Vol. V. of Baron A. Lumbroso's *Miscellanea Napoleonica* (Rome, Modes and Mendel) contains an important collection of documents relating to Murat, several letters of Josephine and of Napoleon to Barras, nineteen letters from Hinterleutner, Prussian *chargé d'affaires* in Sardinia, to Count Balbo, etc. In the *Revue de Paris* for October 15, 1898, Lumbroso prints a series of letters of Murat hitherto unprinted, of the years 1813-1815, extracted from his forthcoming edition of Murat's correspondence. Episodes of Murat's career are also studied by W. F. Lord ("Murat and Bentinck") in the October number of the *Nineteenth Century*, and by A. Dufourcq ("Murat et la Question de l'Unité Italienne en 1815") in the *Mélanges d'Archéologie et d'Histoire* for last April-June.

The Academy of the Moral and Political Sciences has proposed as a prize subject for 1901 the history from 1800 to 1810 of some one of the departments in Alsace, Lorraine, Champagne, Picardy or Flanders.

It is reported that the ex-Empress Eugénie is engaged in writing her memoirs, which are nearly completed and will shortly appear. It is said that one entire volume of the work will be devoted to the preparations for the Franco-German War, the responsibility for which the Empress lays upon the Duc de Grammont, Benedetti and Ollivier.

The Duc de Morny, possessing the papers of his father, the half-brother and confidant of Napoleon III., is engaged in compiling from them a biographical memoir of the first duke.

Lt.-Col. Rousset has published (Paris, Librairie Illustrée) an octavo atlas of 56 maps intended to accompany his six-volume *Histoire Générale de la Guerre Franco-Allemande*.

Noteworthy articles in periodicals: C. Eichner, *Agobard, Erzbischof von Lyon* (Zeitschrift für wissenschaftliche Theologie, XLI. 4); A. Luchaire, *L'Université de Paris sous Philippe-Auguste* (Comptes-rendus de l'Académie des Sciences Morales et Politiques, January); G. Hano-taux, *Richelieu à Avignon* (Revue des Deux Mondes, January 1); T.

Kükelhaus, *Zur Geschichte Richelieu's; Unbekannte Papiere Fancans* (Historische Vierteljahrschrift, II. 1); A. Mathiez, *Étude Critique sur les Journées des 5 et 6 Octobre 1789*, III. (Revue Historique, January); F. A. Aulard, *La Formation du Parti Républicain, 1790-1791* (La Révolution Française, October 14); id., *La Fuite à Varennes et le Mouvement Républicain* (ibid., November 14); id., *Les Républicains et les Démocrates, depuis le Massacre du Champ de Mars jusqu'à la Journée du 20 Juin 1792* (ibid., December 14); id., *Le Dérônement de Louis XVI.* (ibid., January 14); H. Glagau, *General Lafayette und der Sturz der Monarchie in Frankreich* (Historische Zeitschrift, LXXXII. 2); A. Becker, *Plan der zweiten Heirat Napoleon's* (Mittheilungen des Instituts für oesterreichische Geschichtsforschung, XIX. 1); G. Rothan, *Napoléon III. et l'Italie*, I. (Revue des Deux Mondes, February 1); M. de Marcère, *La Constitution de 1875 et M. Wallon* (Revue de Paris, February 15).

#### ITALY, SPAIN, PORTUGAL.

In the *Archivio Storico Italiano*, 1898, 3, M. Léon G. Pélissier gives an account of the French books on Italian history which appeared in 1897.

The sixth volume of Signor A. Manno's monumental *Bibliografia degli Stati della Monarchia di Savoia* (Turin, Fratelli Bocca, pp. 552) is entirely devoted to Genoa. It embraces over seven thousand items, referring to manuscripts as well as to printed books.

The letters of Michelangelo derived from the Buonarroti Archives in Florence, concerning which we have spoken heretofore in these pages, will appear in English translation as well as in Italian and French before the end of the present year. The English translations are being made by Miss Helen Zimmern, and will be published by Messrs. Harper and Brothers.

Signor Rosario Salvo, one of the few surviving members of the Sicilian Legion which went to fight in Lombardy in 1848, and who afterward took part in the defense of Messina against the Bourbon troops and was proscribed after the triumph of the reaction, has recounted in two interesting volumes his recollections of the Sicilian movements of that time, *Rivoluzioni Siciliane 1848-1860*.

Signor Crispi's *Memoirs* will be published simultaneously in English, French, German, Italian, and Russian, and will form twelve volumes each containing 500 pages. It is expected that some of them will cast much light upon the history of the Triple Alliance.

The last number received of the *Revista Crítica de Historia y Literatura*, a double number (for April and May) is entirely given up to an extensive article by Arturo Farinelli, of the University of Innsbruck, in critical review of R. Foulché-Delbosc's *Bibliographie des Voyages en Espagne et en Portugal*.

In a volume entitled *De Historia y Arte* Señor Don Rafael Altamira, of the University of Oviedo, has printed certain additions to his book on *La Enseñanza de la Historia* (noticed in this REVIEW, Vol. I., p. 316), an article on the archives, libraries and museums of Spain, another on North American books of travel in Spain, etc.

Of Dr. Franz Hümmerich's *Vasco da Gama und die Entdeckung des Seewegs nach Ostindien* (Munich, C. H. Beck, pp. 203) the first half is an excellent dissertation on the life of the navigator and on his two voyages, based on original and partly on new sources. The second half contains complete texts of all important passages in sources. For the second voyage the author is the first to use a letter in the Library of San Marco at Venice, sent home by an Italian companion of Vasco, Mateo de Begnino.

#### GERMANY, AUSTRIA, SWITZERLAND.

The sixth "Deutsche Historikertag" will be held at Halle a. S. at Easter, 1900.

In the great German historical series the following are to be chronicled as recently published: In the quarto edition of the *Monumenta*, the first part of the *Liber Pontificalis*, edited by Professor Mommsen, and the first part of Vol. V. (Carolingian) of the *Epistolae*; in the *Corpus Inscriptionum Latinarum*, a portion ("Instrumentum domesticum," pp. 491-996) of Vol. XV., Latin inscriptions of the city of Rome, ed. H. Dressler; in the *Publikationen aus den kön. preussischen Staatsarchiven*, Vols. LXXI., LXXII., LXXIII., containing the third and concluding portion of the political correspondence of Elector Albert Achilles, ed. F. Priebatsch, the correspondence (1731-1759) of Frederick the Great with Grumbkow and Maupertuis, ed. Reinhold Koser, and a portion of the *Hessisches Urkundenbuch*, namely a third volume (1360-1399) of the cartulary of the domains of the Teutonic Order in Hesse, ed. A. Wyss; in the *Fontes Rerum Austriacarum*, a fiftieth volume, *Acten und Correspondenzen zur Geschichte der Gegenreformation in Innerösterreich unter Erzherzog Karl II.* (1578-1590), ed. J. Loserth; of the *Deutsche Reichstagsakten unter Kaiser Sigmund*, the section relating to the years 1433 to 1435, ed. G. Beckmann; in the Heeren and Ukert series, the fourth volume (1508-1597) of Dr. Sigmund Riezler's *Geschichte Baierns* and a first volume, extending to the beginning of the fourteenth century, of a *Geschichte Belgiens* by M. Henri Pirenne. An index volume has been added to Dr. Moriz Brosch's *Geschichte Englands* in the series last mentioned.

The contest in Germany over Lamprecht's methods goes merrily on. In the *Historische Zeitschrift*, LXXXI. 2, as already mentioned in these pages, Herr von Below subjected them to severe criticism in an article entitled *Die Neue Historische Methode*. To this Dr. Lamprecht desired to make extended reply. Unable to secure from that journal as much space as he desired at any early date, he has printed a pamphlet of fifty pages,

*Die Historische Methode des Herrn von Below*, which is sent out, under the cover, with each number of the *Historische Zeitschrift*, and may also be obtained of R. Gaertner, Berlin. Professor Lamprecht also has an article, *Ueber die Entwicklungsstufen der deutschen Geschichtswissenschaft*, in the *Zeitschrift für Kulturgeschichte*, V. 6, VI. 1, 2.

The publisher A. Hettler of Leipzig has issued an *Adressbuch der deutschen Historiker und Geschichtslehrer*, which may be of convenience to American students.

A new documentary series, extensive in plan, has been begun in Germany, with some support from the Prussian Academy: It is to be called *Denkmäler der deutschen Kulturgeschichte*, and is to be published by R. Gaertner of Berlin. Its plan is to give a more secure basis to the study of the history of civilization in Germany by publishing scholarly editions of documents carefully selected from among the masses of letters, diaries, journals of travellers, local ordinances, public and private account-books, etc., which have been preserved from the Middle Ages and from the sixteenth and seventeenth centuries. The scheme is Germanically subdivided. The first series is to consist of letters. Of this the first division will comprise German private letters of the Middle Ages, edited by Dr. Georg Steinhausen, librarian of the University of Jena, and author of a recent work in two volumes entitled *Geschichte des deutschen Briefes*. Of this sub-section Vol. I., "Fürsten und Magnaten, Edle und Ritter," has now appeared (pp. xvi, 454).

The city of Mainz plans for June 24, 25, and 26, 1900, an impressive celebration of the five-hundredth anniversary of the birth of Gutenberg. Beside formal addresses and festivities, the city intends to hold a typographical exhibition illustrating in all its details the historical development of the art of printing from the days of Gutenberg to our own time, with especial attention to the early years, and to publish a scientific work on Gutenberg by noted specialists. It also proposes to found at Mainz a Gutenberg museum, and to make a large permanent collection of incunabula and other works pertaining to the history of the art of printing.

Three interesting contributions *Zur Geschichte des Hexenprozesses* have been published as an "Ergänzungsheft" to the *Zeitschrift für Kulturgeschichte*: two sixteenth-century trials edited by Dr. A. Richel of the town library of Aix-la-Chapelle; a series of documents respecting sorcery and witchcraft in Pomerania by Dr. Stojentin of Stettin; and a paper respecting trials in Styria by Dr. Wilhelm Ruland of Munich.

The March number of the *Revue Historique* contains a summary review of recent German publications in the history of the Reformation, by Professor Alfred Stern of Zürich.

Archivrath Dr. Friedrich Philippi, state archivist of the province of Westphalia, has commemorated the two-hundred-and-fiftieth anniversary of the peace of Münster by publishing, with the aid of several other scholars,



a memorial volume, *Der Westfälische Friede* (Münster, Regensburg, pp. 213) with illustrations after originals in the archives.

The section of the Prussian General Staff devoted to military history has in preparation an elaborate work on the history of the Seven Years' War. From among the preparatory labors for this work they have published (*Militärwochenblatt*, Beiheft 8) a critical monograph on the diaries and other materials contained among the manuscripts of the Süssenbach Collection.

Fritz Friedrich's *Politik Sachsens 1801-1803; Ein Beitrag zur Geschichte der Auflösung des Heiligen Römischen Reiches* (Leipzig, Duncker and Humblot, pp. 175), an issue in the series of *Leipziger Studien aus dem Gebiet der Geschichte*, traces with care and intelligence the relations of Saxony to the Empire and to Prussia during the years named, and the process by which the alliance with Prussia was dissolved without being replaced by one with Austria.

The latest issue in the *Historische Bibliothek* (Munich and Leipzig, R. Oldenbourg) is a volume on *Die Berliner Märztage von 1849; Die Ereignisse und ihre Überlieferung*, by Professor Wilhelm Busch of Tübingen (pp. 74). Without pretending to use unknown or manuscript materials, the author endeavors to furnish a general account of the whole episode in the light of all the printed sources, especially those brought out by the recent semi-centennial commemorations, and a critical examination of their value.

Dr. Hans Blum's *Fürst Bismarck und seine Zeit* is completed by the addition of a volume of appendix, 1895-1898, and index (Munich, Beck, pp. 261).

Readers of the reviews of Bismarck books on previous pages may be interested to know that a *Wegweiser durch Bismarck's "Gedanken und Erinnerungen"* has been published by Professor Horst Kohl through Messrs. G. J. Göschen of Leipzig.

The Historical Commission for the kingdom of Saxony held its third annual meeting on December 7. It was announced that the edition of the reports of Councillor Hans von der Planitz to Frederick the Wise, and the acts and letters of the Elector Maurice (ed. Brandenburg) were well advanced in the press. The history of the Saxon central administration has been confided to Dr. Treusch von Buttler of Dresden. Plans were made for a history of the *geistig* life of Leipzig—church and school, literature, music and art—by various competent hands. An industrial, social and constitutional history of Leipzig is also contemplated.

The Verein für Geschichte Dresdens has issued an *Atlas zur Geschichte Dresdens*, edited by the president of the society, Dr. Otto Richter, municipal archivist and librarian, and containing more than fifty plans and views of the town or of parts of it. They range in date from 1521 to 1898, and are derived from a great variety of sources, in some cases rare.

A bibliography of the Emperor Francis Joseph, *à propos* of his fiftieth anniversary, is printed in *Literature* for November 26.

Noteworthy articles in periodicals: W. Sickel, *Die Kaiserkrönungen von Karl bis Berengar* (Historische Zeitschrift, LXXXII. 1); H. Otto, *Die Absetzung Adolfs von Nassau und die römische Curie* (Historische Vierteljahrschrift, II. 1); E. Otto, *Alchimisten und Goldmacher an deutschen Fürstenhöfen* (Zeitschrift für Kulturgeschichte, VI. 1, 2); K. Häbler, *Die Stellung der Fugger zum Kirchenstreite des 16. Jahrhunderts* (Historische Vierteljahrschrift, III. 4); P. Zinck, *Studentisches Leben in Leipzig zur Zeit des Kurfürsten August, 1553-1586* (Zeitschrift für Kulturgeschichte, VI. 3, 4); S. Riezler, *Die Meuterei Johann's von Werth 1647* (Historische Zeitschrift, LXXXII. 1, 2); A. de Ruville, *Der Ursprung des siebenjährigen Krieges* (Nord und Süd, October).

#### NETHERLANDS AND BELGIUM.

A considerable section of Dutch historical bibliography is covered by the *Oranje-Nassau-Bibliotheek* (bibliography of books, pamphlets, etc., relating to princes and princesses of the house of Orange-Nassau, from the sixteenth century down), which has been published at the Hague by van Stockum (pp. 162).

#### NORTHERN AND EASTERN EUROPE.

M. K. Waliszewski has followed up his remarkable studies of Peter the Great and of Catherine by a volume, conceived upon the same plan, upon a striking French character in Polish history, the wife of King John Sobieski, "Marysienka" in popular nomenclature, *Marysienka, Marie de la Grange d'Arquien, Reine de Pologne, Femme de Sobieski, 1641-1716* (Paris, Plon, pp. 383).

#### AMERICA.

Messrs. G. P. Putnam's Sons announce the publication of a new quarterly journal devoted to the interests of anthropology, especially anthropology in America. The periodical is to be entitled *The American Anthropologist (New Series)*. It has been established under the auspices of the anthropological section of the American Association for the Advancement of Science. Original papers, briefer contributions, reviews of books, a current bibliography of anthropology, and minor notes and news will be printed. The board of editors will comprise Dr. Frank Baker of the Smithsonian Institution, Dr. Franz Boas of the American Museum of Natural History, Dr. Daniel G. Brinton, Dr. George M. Dawson of the Geological Survey of Canada, Dr. George A. Dorsey of the Field Columbian Museum, Professor William H. Holmes of the United States National Museum, Major J. F. Powell of the Bureau of American Ethnology, and Professor Frederick W. Putnam of the Peabody Museum at Cambridge. The secretary of the board and managing editor of the periodical will be Mr. F. W. Hodge, whose address is 1333 F Street, N. W., Washington, D. C.

The American Jewish Historical Association held its seventh annual meeting in Philadelphia on December 26. Dr. Cyrus Adler was elected president, and Dr. Herbert Friedenwald corresponding secretary. Mr. Simon W. Rosendale presented the report of the committee on Dutch records. Papers were read on the history of the Jews in Surinam by Professor Gottheil of Columbia; on Mexican Jewish history by the Rev. Dr. H. P. Mendes of New York; and on the Jews of Jamaica by Hon. Oscar S. Straus; as well as several relating to the history of the Jews in the United States.

The issue of the *Johns Hopkins University Studies* concluding the sixteenth series is entitled *Jared Sparks and Alexis de Tocqueville*, and presents correspondence between the two extending from 1831 to 1853, edited by Professor Herbert B. Adams. The largest and most interesting piece is a collection of "Observations on the Government of Towns in Massachusetts" which Sparks prepared for De Tocqueville's use. The seventeenth series, that for the year 1899, is intended to consist of monographs on the several subjects: History of State Banking in Maryland, by A. C. Bryan; History of the Know-Nothing Party in Maryland, by L. F. Schmeckebier; History of Slavery in North Carolina, by J. S. Bassett; History of Slavery in Virginia, by J. C. Ballagh; The Labadist Colony in Maryland, by B. B. James; The Separatists of Zoar, by George B. Landis; Early Development of the Chesapeake and Ohio Canal Project, by George W. Ward; The Admission of Iowa into the Union, by J. A. James; The Colonial Executive prior to the Restoration, by P. L. Kaye; The History of Suffrage in Virginia, by J. A. C. Chandler.

Messrs. G. P. Putnam's Sons announce a volume on the history of the territorial expansion of the United States by Mr. Charles Henry Butler. In their series of the Writings of the Fathers of the Republic, they announce the sixth and concluding volume of Dr. Charles R. King's *Writings of Rufus King*, the tenth and concluding volume of Mr. Paul L. Ford's *Writings of Thomas Jefferson*, the continuation of Mr. Hamilton's *Writings of James Monroe*, and an edition of the *Writings of James Madison*, edited by Mr. Gaillard Hunt of the Department of State.

To the *Old South Leaflets* two additions relating to Lafayette have been made, Nos. 97 and 98. The first is a series of extracts of the most interesting passages from Lafayette's autobiography; the second contains ten of his letters to Washington, and Washington's letter of December 25, 1798, to Lafayette.

Gustavus W. Schroeder, of Brooklyn, New York, is at once author and publisher of a volume entitled *History of the Swedish Baptists in Sweden and America*. The book gives an account of the work of the Baptists in Sweden during the last fifty years, and among the American Swedes.

*Putnam's Historical Magazine* for July and August contains a brief article on Scottish sources of information concerning American families originating in Scotland.

Dr. J. P. MacLean, librarian of the Western Reserve Historical Society of Cleveland, has recently completed the manuscript of an account of the doings of the Scotch Highlanders in America prior to the peace of 1783.

The library of the State of New York has issued the *Ninth Comparative Summary and Index* to the legislation of the states, covering the year 1898.

*The Irish Washingtons, at Home and Abroad*, by George Washington, of Dublin, Ireland, and Thomas Hamilton Murray, of Boston, is announced by the Carrollton Press, Woonsocket, Mass.

Mr. G. R. F. Prowse of Bradford, England, announces a book entitled *Cabot to Champlain, a Cartological Determination of the English, French and Iberian Discoveries between Labrador and Maine, 1487-1633*, to be published at London by Messrs. Henry Stevens, Son and Stiles. The book is to be an elaborate one, with many cartographical illustrations. Its main object is to attempt a scientific classification of as many as possible of the maps relating to the region and period mentioned (the classes being based upon some peculiarity of configuration or nomenclature which a number of maps have in common), and to extract from this classification and from the co-ordinated lists of places and names thus obtained, all possible data respecting the voyages to this coast and the developments of knowledge respecting it. Names of hagiological and liturgical origin have been especially fruitful of suggestion. The method, as described in the author's prospectus, seems to have been approached in an excellent spirit and with promise of much utility.

The British Government has brought out a new volume of the *Calendar of State Papers, Colonial; America and West Indies*, extending from 1681 to 1685.

*Washington as a Soldier*, by General Henry B. Carrington (Boston: Lamson, Wolfe and Co.), is in the main an abridgment of his well-known *Battles of the Revolution*.

The latest publication of the Dunlap Society is a book on *Washington and the Theatre*, by Mr. Paul Leicester Ford, in which a detailed history of Washington's attendance upon theatrical and other performances is presented, accompanied by documents illustrating the early history of the drama in America.

The second edition of Miss FitzGibbon's *A Veteran of 1812*, a biography of her grandfather, Lieutenant-Colonel James FitzGibbon, who served with distinction under Sir Isaac Brock in Canada, has just been issued by Mr. William Briggs of Toronto, with an additional chapter.

The ninth volume of Mr. Richardson's *Compilation of the Messages and Papers of the Presidents* (Government Printing Office, pp. 801)

extends from March 4, 1889, to March 4, 1897. Chronologically this completes the series. But a tenth volume is promised, containing papers hitherto omitted and an index. The additional papers were in some cases omitted by accident or oversight; in other cases their inclusion is due to a widening of the plan, which now includes even those brief messages by which treaties and reports of heads of departments were transmitted to Congress. Mr. Richardson has "added to the index the encyclopedic feature," so that it will contain "a large number of encyclopedic definitions of words and phrases used by the Chief Executives, and of other politico-historical subjects." This seems unnecessary.

The Massachusetts Historical Society has instituted a Historical Manuscripts Committee, charged to discover and keep track of valuable collections of historical manuscript in private hands, to increase the public appreciation of their value and to preserve them from destruction, to acquire them for the Society if possible, and to arrange for their calendaring and publication when this is desirable. The Committee consists of Professor Albert Bushnell Hart, chairman, Mr. Charles Francis Adams, Mr. John C. Ropes, Mr. James Schouler, Mr. James Ford Rhodes, and Professors Franklin B. Dexter and J. F. Jameson. It proposes unusually comprehensive and elaborate plans for the accomplishment of its purposes, including, among other circulars to be sent out, an appeal intended to interest school-children in the preservation of manuscript materials for history.

Mr. Robert T. Swan's *Eleventh Report on the Condition of the Public Records of Parishes, Towns and Counties* in Massachusetts renews and explains some of his earlier suggestions, and discusses with intelligence and good judgment the question of the use of the typewriter in making public records. Facsimiles are given to show what can be done with old records by the process of mounting between sheets of transparent silk. In an appendix Mr. Swan gives lists showing the location of towns in Massachusetts counties, with dates of their establishment or incorporation, so arranged as to show the towns composing any county at any given time.

After an interval of nearly three years, the Record Commissioners of the city of Boston bring out their twenty-eighth report, which, in a volume of 468 pages, well indexed, presents the marriages recorded in the town records of Boston from 1700 to 1751, collated with the Book of Banns for nearly the same period, with some additions from other sources.

Dr. Samuel A. Green, librarian of the Massachusetts Historical Society, has published the final issue (Vol. IV., No. 6) of his *Groton Historical Series*, and has furnished an elaborate index to the four volumes.

Volume XIV. of the *Early Records of the Town of Providence* has been issued by the Record Commissioners. It consists of the first deed-

book proper of the town, beginning in 1677, when the town clerk began for the first time to record deeds in a separate book. The index to the book is constructed upon an improved plan.

The January number of the *Publications* of the Rhode Island Historical Society contains a historical sketch of the Greene Street school of Providence and its teachers, among whom was Margaret Fuller.

Miss Ellen Larned, the well known historian of Windham County, Conn., expects to issue, through the Preston and Rounds Company of Providence, a volume of *Historic Gleanings* derived from the same county.

The Rev. L. P. Powell, whose volume upon the *Historic Towns of New England* is noticed in the present number, is about to issue a volume of similar sketches of *Historic Towns of the Middle States*, including chapters upon New York, Brooklyn, Albany, Kingston, Newburgh, Saratoga, Schenectady, Tarrytown, Princeton, Philadelphia, Pittsburgh, and Wilmington.

Mr. Worthington C. Ford and Mr. Paul L. Ford have presented to the New York Public Library, as a memorial of their father, Gordon L. Ford, the collection of books begun by him and since his death continued by them. It is remarkable for its works on finance and on American history and literature, particularly of the eighteenth century. Including books and pamphlets, the collection is estimated to contain between 50,000 and 100,000 volumes. The Ford collection of manuscripts has been bought by Mr. J. Pierpont Morgan, who intends, after selecting certain portions of it for his own use, to present the remainder to the New York Public Library.

The *Bulletin* of the New York Public Library contains in its January number an account of the library of Samuel J. Tilden, largely historical and poetical, a description of 220 volumes of rare Americana, mostly anterior to 1550, presented by Mr. Alexander Maitland, and an elaborate catalogue of a large collection of New York broadsides recently acquired by the library. Mr. George L. Rives has recently presented a volume of transcripts from the Spanish archives at Simancas. The February issue of the *Bulletin* presents a list of the periodicals possessed by the library relating to general history (American excepted) and to archaeology. Both issues, and also that for March, continue the calendar of autographs of signers to the Declaration of Independence.

In the January number of the *Pennsylvania Magazine of History and Biography* the principal contents are documentary: letters of Sir Henry Clinton to Lord George Germaine respecting the treason of Benedict Arnold; the letter of "Centinel X." against the Virginia militia officers in 1756; a criticism of Rall's conduct at Trenton, from the diary of Lieutenant Andreas Wiederhold; extracts from the diary of Dr. James Clitherall, who in 1776 escorted Mrs. Arthur Middleton and Mrs. Edward Rutledge on their journey to Philadelphia to join their husbands; a narrative of Captain Gustavus Conyngham, kept while in command of the

*Surprise and Revenge, 1777-1779*; and letters of Richard Henry Lee to William Whipple of New Hampshire. The editor also prints a portion of Mr. Charles R. Hildeburn's preface to the forthcoming Vol. I. of the official edition of the *Statutes-at-Large of Pennsylvania*. It seems that this admirable series, having been brought down from 1700 to 1759, is not likely at present to be carried further, appropriations failing. Vol. I., the last to be published, will contain the Pennsylvania laws anterior to 1700, some of which have eluded search till now and have been found in an unexpected place. It will also contain the commissions and the instructions (often secret and hitherto unprinted) which the Crown or the proprietors sent to their governors, documents necessary to the understanding of the history of the provincial legislation. The magazine also contains the annual reports of the Historical Society of Pennsylvania, whose funds, it appears, now amount to \$248,000.

Mr. Julius F. Sachse, of 4428 Pine Street, Philadelphia, the author of a book on the *German Pietists of Pennsylvania*, noticed in an earlier volume of this REVIEW (Vol. II., p. 358) solicits subscriptions for what is practically a continuation of the same work, a book entitled *The German Sectaries of Pennsylvania, 1720-1800: A Critical and Legendary History of the Ephrata Cloister and the Dunkers*. The book will be illustrated with facsimiles of all title-pages of books printed at the Ephrata press and with other specimens of its work.

Still another series of translations and reprints of original historical documents has begun,—the *Liberty Bell Leaflets*, edited by Messrs. Martin G. Brumbaugh and Joseph S. Walton, and published inexpensively at Philadelphia, by the Christopher Sower Company. The papers to be included in the series will treat of colonial proprietary grants and interests, and of the development of institutions of local government and other institutions in the Middle Colonies. The first issue gives the inducements offered by the States General of Holland [*sic*] from 1614 to 1626, to those merchants and navigators who would discover new countries, together with the Charter of Privileges granted to the patroons. The second number contains the West Jersey Constitution of 1677; the third, Penn's Frame of Government of 1682 and the Privileges and Concessions of 1701. No. 4 contains Penn's charter of 1682.

Mr. William B. Wilson, who has for many years been connected with railroad interests in Pennsylvania, is about to publish through Messrs. Henry T. Coates and Co., an elaborate illustrated work on the *History of the Pennsylvania Railroad Company*.

The January number of the *Publications of the Southern History Association* contains an article by Mr. Thomas Featherstonhaugh, on the Mould-Builders of Central Florida, and one by Mr. James F. Shinn, on Edward Moseley, member of the governor's council of North Carolina in the early part of the eighteenth century. The number also contains (pages 54 to 57) an interesting account of the history of Miss Ann Maury's *Memoirs of a Huguenot Family*.



Rev. Dr. B. F. Riley, professor in the University of Georgia, is preparing for the American Baptist Publication Society a volume on the *History of the Baptists in the Southern States East of the Mississippi*, from 1685 to the present time.

The second report of the Maryland Geological Survey includes a report on the cartography of Maryland, by Dr. E. P. Mathews, which contains reproductions of some of the early maps, and discusses the physiographic changes which have occurred in historic times within the area of the state.

The eleventh and twelfth annual *Reports* of the Society for the History of the Germans in Maryland contain a series of reminiscences of the German Americans in Baltimore during the years 1850-1860, and therefore incidentally of the Know-Nothing movement, by Mr. L. P. Hennighausen; also a paper by Mr. Hermann Schuricht on the history of the German element in Virginia.

The *Virginia Magazine of History and Biography* henceforth appears under the editorial care of Mr. William G. Stannard. The January issue contains a number of interesting abstracts of documents relating to the first year of the colony, taken from among the collection of abstracts from the Public Record Office in London sent over some years ago by Mr. W. Noel Sainsbury. A contemporary English text of Washington's capitulation at Fort Mifflin, probably the draft laid before the House of Burgesses, is also printed, and a beginning is made of the publication of lists of the Virginia militia in the Revolution. The Isle of Wight County wills, the inventory of Robert Carter, and the abstracts of Virginia land-patents are continued. In the department of book-reviews, Mr. Alexander Brown makes an extensive reply to the elaborate criticism of his *First Republic* by Mr. William Wirt Henry in the October number of the *Magazine*. A report of the proceedings of the annual meeting of the Virginia Historical Society accompanies the number, and gives gratifying evidence of the activity of the Society and of intelligent plans for the future of the *Magazine*, which will hereafter pay more attention than hitherto to documents of the eighteenth century.

The January number of the *William and Mary College Quarterly Historical Magazine* contains an extensive diary of John Blair, member of the Council of Virginia, for the year 1751, a variety of papers relating to the founding of the college, and many family records. The April number will be wholly devoted to the records of Isle of Wight County, containing a list of the first immigrants into it; a statement of the patentees of land and the amount and location of their grants from 1619 to 1680; abstracts of the important deeds, wills, and orders in the office of the clerk of the county, 1652-1750; and abstracts from the records showing the part performed by the county during the war of the Revolution.

Mr. Richard Irby of Ashland, Va., has published *The History of Randolph-Macon College* (pp. 331), the oldest surviving college of the

Methodist church in America,—together with a brief sketch of the early history of Methodist schools in Virginia.

The second part of the *Report of the [U. S.] Commissioner of Education* for 1896-97 contains a historical chapter by Dr. Stephen B. Weeks on "The Beginnings of the Common-School System in the South; or Calvin Henderson Wiley, and the Organization of the Common Schools of North Carolina."

The forthcoming annual report of the state superintendent of public instruction in North Carolina will contain an elaborate account of the old schools of that state prepared by Dr. Kemp P. Battle, formerly president of the University of North Carolina and now its professor of history.

The H. and W. B. Drew Company of Jacksonville, Florida, have published a new edition, brought down to the present in respect to statistical and other facts, of George R. Fairbanks's *Florida, its History and its Romance* (pp. 240), originally published at Philadelphia in 1871.

The General Assembly of Alabama at its December session made an appropriation for the Alabama Historical Society, which, with its present revenues, will permit it each year to publish a volume of transactions. They also passed an act for the formation of an Alabama Historical Commission, charged, without compensation, to make an exhaustive examination into the sources and materials for the history of Alabama from the earliest times, printed and manuscript, including material in domestic and foreign archives and in private hands; also to acquire information respecting historic sites and buildings and other matters of historical interest. They are, at the next session of the General Assembly, to make a report, which will be printed by the state, and it is made the duty of state, county and municipal officials in Alabama to supply them with the data which they call for. The chairman of the Commission is Mr. Thomas M. Owen, secretary of the Alabama Historical Society, to whose energetic action the remarkable revival of interest in Alabama history is generally attributed. The Alabama Historical Society has arranged to celebrate on May 5, by fitting ceremonials, including an excursion from Mobile to St. Stephens, the surrender of that post by the Spaniards on May 5, 1799, the epoch at which, as a result of Ellicott's survey, American rule was substituted for that of Spain in the region north of latitude 31°.

Two new monographs have appeared among the *Contributions to American Educational History* published by the Bureau of Education: one on the history of education in Louisiana by Dr. E. W. Fay and one on the history of higher education in Missouri by Professor Marshall S. Snow.

The *Quarterly* of the Texas State Historical Association for January contains a curious private diary kept by Stephen F. Austin in 1833, 1834 and 1835 before and during his imprisonment in the City of Mexico. This highly interesting and often most amusing *document humain* was

written by Austin in pencil in a small blank-book which he concealed. The present text follows a copy at present possessed by his nephew Col. Guy M. Bryan. Another very interesting article is one by I. J. Cox on the founding of the first municipality in Texas (1731), an article based on original documents in the archives of Mexico. There are also letters and sketches of early Texans. It is announced that the April number will contain a letter of Padre Manzanet giving an account of the establishment of the first mission in Texas, San Francisco de los Tejas.

The State Historical Society of Wisconsin held its annual meeting on December 8. Hon. John Johnston was again elected president. The year's accessions to the library were reported as 6960 books and pamphlets and the total number is now 198,895. The Society's files of newspapers now number 10,000 bound volumes. The annotated catalogue of them, a book of about 450 pages, was issued shortly after the meeting and is noticed more fully upon another page.

At the State Historical Convention held at Madison on February 22 and 23, the leading feature, the biennial address before the State Historical Society, was a discussion of the "Movement for Federation between England and her Colonies" by Professor George B. Adams, of Yale University. Papers were also read on the Puritan, German and Norwegian elements and influences in Wisconsin, on the settlement of Beloit, on the French régime in the valley of the Fox River, on Père Allouez, and on the old fort at Fort Atkinson.

The January number of the *Annals of Iowa* contains two especially interesting articles: a careful biographical sketch of the Rt. Rev. Dr. Mathias Loras, first bishop of Dubuque, by the Rev. B. C. Lenehan, and an account by Miss Ida M. Street of an interesting attempt made in the thirties by her father, Joseph M. Street, agent for the Winnebagoes, to institute among them industrial education, an experiment conducted with much difficulty, against the opposition of the American Fur Company and of Secretary Cass.

Mr. Jay A. Bassett, librarian of the Nebraska State Historical Society, has published, under the title, *Nebraska and the Nation* (Lincoln, J. H. Miller), a second edition of his work on the *History and Government of Nebraska*.

The *Bulletin of the University of Oregon* has begun, as a Historical Series, under the editorship of Professor F. G. Young, a succession of papers intended to present a semi-centennial history of Oregon. Besides the general introduction, there will be papers on the early explorations of the Northwest coast, on the régime of the Hudson's Bay Company, on the early visits of American traders, missionaries and pioneers, and the early immigration, on the Oregon Question, on the constitutional and political history of the territory and state, and on various branches of its economic development.

The title of Mr. Beckles Willson's book relative to the Hudson Bay adventurers, to be published before long by Messrs. Scribners, is to be

*The Great Company*, and not that which was heretofore announced in these pages (IV. 216).

Mr. George Parker Winship has contributed to the January *Proceedings* of the Massachusetts Historical Society a bibliographical letter on the early Mexican printers.

The enterprises of the Welser in Venezuela are studied, from documents in the Spanish Archives of the Indies, in Nos. 235 and 236 of the *Beilage* to the *Allgemeine Zeitung*.

Henri Froidevaux publishes in the third number of the *Journal de la Société des Américanistes de Paris* (pp. 91 to 148) a number of documents relating to Godin des Odonais, and to his career in Guiana between 1750 and 1773. The documents cast light on the relations between the French and Portuguese in South America and on the commercial and colonial affairs of the Amazon and of Guiana.

Mr. Adolph F. Bandelier has been occupied during the winter with excavations and surveys in the ruins at the *ingenio* of Patacamaya, near Sicasica, Bolivia. This spring, after an interval of work at La Paz, he expects to spend some time in moulding the carvings and monoliths of Tiahuanaco.

Noteworthy articles in periodicals: S. E. Baldwin, *History of American Morals* (Journal of Social Science, December); A. Wirth, *Das Wachstum der Vereinigten Staaten von Amerika* (Preussische Jahrbücher, December); W. G. Sumner, *The Coin Shilling of Massachusetts Bay*, II. (Yale Review, February); Sir George Trevelyan and the American Revolution (Edinburgh Review, January); F. Rabbe, *Thomas Paine, d'après les Travaux récents de M. Conway* (La Révolution Française, October-January); A. B. Hart, *The United States as a World Power* (Harper's Magazine, February); A. B. Hart, *Brother Jonathan's Colonies* (Harper's Magazine, January); S. Pokagon, *The Massacre of Fort Dearborn* (Harper's Magazine, March); L. G. Bugbee, *Slavery in Early Texas*, II. (Political Science Quarterly, December); *Stonewall Jackson and the American Civil War* (Edinburgh Review, January); J. W. Wyeth, *Major-General Forrest at Brice's Cross-Roads* (Harper's Magazine, March); F. A. Alger, *The "Congress" and the "Merrimac"* (New England Magazine, February); G. F. Hoar, *Four National Conventions* (Scribner's Magazine, February); H. C. Lodge, *The Spanish-American War* (Harper's Magazine, February-April); S. A. Staunton, *The Naval Campaign of 1898 in the West Indies* (Harper's Magazine, January); W. R. Shafter, *The Capture of Santiago de Cuba* (Century, February); R. P. Hobson, *The Sinking of the "Merrimac"* (Century, January-March.)